



Posted: Friday, November 05, 2021

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
TUESDAY, NOVEMBER 09, 2021, at 6:00 PM

THIS MEETING WILL BE HELD VIA ZOOM VIDEOCONFERENCE
CLOSED SESSION WILL BEGIN AT 5:30PM

In accordance with Executive Order N-29-20 this meeting will be held via videoconference, and will be hosted on the **Zoom**.
Learn more about Zoom here: <https://zoom.us>

PUBLIC COMMENT: Public comment may be submitted via email in advance of the meeting, or in an orderly process during the meeting. If you do not have access to email and you would like to provide a written statement, please deliver your comment to 409 Trinity Street, Trinidad CA, by 2:00pm on the meeting day.

Email public comments to cityclerk@trinidad.ca.gov Your comments will be included in the public record for the meeting, and will be accepted at any time during the meeting.

HOW TO PARTICIPATE: The City will publish a direct link to the conference, along with the participant code, on the City Calendar page online at <http://trinidad.ca.gov/calendar>

To phone in, dial 1-888-278-0296, Conference Code: **685171** Meeting ID: **828 2744 2898** Passcode: **388494**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **CLOSED SESSION AGENDA PUBLIC COMMENT**

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council: 1) Individual comments will be limited to 3 minutes or less, 2) Comments should be directed to the Council as a whole and not directed to individual Council Members

- IV. **ADJOURN TO CLOSED SESSION**

- 1. Water Plant Operator Contract Review/Employment/Performance Pursuant to Government Code Section 54957.

- V. **RECONVENE TO OPEN SESSION**

- VI. **APPROVAL OF AGENDA**

- VII. **APPROVAL OF MINUTES** – 08-24-2021 cc2, 09-14-2021 cc, 10-12-2021 cc.

- VIII. **COUNCIL REPORTS/COMMITTEE ASSIGNMENTS**

- IX. **STAFF REPORTS** – City Manager & Law Enforcement

- X. **ITEMS FROM THE FLOOR**

At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.

- XI. **CONSENT AGENDA**

All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.

- 1. Staff Activity Report – October 2021
- 2. Financial Statements – September 2021

3. Law Enforcement Report – October 2021
4. Memorandum of Understanding (MOU) between the City of Trinidad and HSU for the Stormwater Project.
5. Ocean Protection Council (OPC) Coastal Resiliency Planning Project Update.
6. General Plan Update Status.

XII. DISCUSSION/ACTION AGENDA ITEMS

1. Continued Discussion/Decision regarding Resolution 2021-12; Authorizing Continued Use of Virtual Meetings.
2. Discussion/Decision regarding Contract Renewal with the Humboldt County Sheriff's Office for Police Services.
3. Presentation regarding Zero Waste Humboldt.
4. Stormwater Project Update
5. Discussion/Decision regarding Resolution 2021-13; Authorizing the Grant Application, Acceptance, and Execution of the Trinidad Multi-Benefit Water Resilience Project.
6. Discussion/Decision regarding Contract with Pacific Watershed Associates for Mill Creek Flow Monitoring.
7. Discussion/Decision regarding review of Short-Term Rental Ordinance 2016-03.
8. Annual Unmet Transit Needs Hearing.
9. Discussion/Decision regarding Resolution 2021-14; Increasing the Transient Occupancy Tax Rate from 10% to 12%.
10. Discussion/Update regarding City Council Vacancy.

XIII. FUTURE AGENDA ITEMS

XIV. ADJOURNMENT

APPROVAL OF MINUTES FOR:

AUGUST 24, 2021 CC2

SEPTEMBER 14, 2021 CC

OCTOBER 12, 2021 CC

Supporting Documentation follows with:

18 PAGES

***10-12-2021 CC minutes were added to the packet on
Tuesday, November 09, 2021.***

MINUTES OF THE SECOND REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, AUGUST 24, 2021 (ZOOM)

I. CALL TO ORDER

Mayor Ladwig called the Zoom virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, West, Clompus, Grover, Davies and West. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams. Approximately (13) attendees were present online at the beginning of the meeting.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

Motion (Grover/West) to approve the agenda as submitted. Passed unanimously.

IV. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

Clompus: Provided a written report included in the packet that highlight his committee discussions, actions, and progress. Update on the CCNM Gateway Committee, Ad Hoc Water Committee, Luffenholtz Creek flow and CA extreme drought status. Shared creek flow telemetry system data supplied by equipment that is now in place at the Treatment Plant, and explained how he reports cuft/sec flow by measuring the average of several data points. Also shared some conservation measures that water customers should put in place to decrease consumption. Welcomed the public to attend the September 07 Water Advisory Committee meeting at 5:00pm.

Mayor Ladwig added that the streamflow measurement tool is very powerful, and there has been a renewed interest in upstream water rights due to data showing unexplained, significant overnight flow decreases.

Resident **Anita Thompson** thanked the Water Advisory Committee for their work and research, and continued to urge the Council to find a reliable alternative water source due to a new normal brought on by climate change.

Resident **Dwight Miller** noted that conservation measures are helpful (and raise awareness), but will not fix a water source that is threatened by drought.

Yurok Tribal Representative **Sherri Provolt** noted that the Biden Administration will likely create funding opportunities for water loss mitigation.

V. STAFF REPORTS – City Manager & Law Enforcement

City Manager Naffah highlighted the wind energy project being proposed approximately 20 miles offshore, and pointed to material included in the packet for details.

VI. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Erin Rowe – Trinidad

Concerned with the public safety of the Van Wyck Trail and that people are still using the trail despite closure signage. Does the signage immunize the City from accident liability? Mayor Ladwig explained that our legal advice was to post signage and 'use at your own risk', essentially, prevents the city from exposure.

Ross Ward – Universal Health Care for All

Proposed a Resolution to the City Council for the September agenda. Asking the Council to support it.

VII. CONSENT AGENDA - NONE

X. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding Contract with Pacific Watershed Associates to Study and Report on the Water Supply Viability of Luffenholtz Creek.

PWA Hydrologist Todd Kraemer explained that the objective of the proposal included in the meeting packet, dated 08/20/2021, is to provide the Council with information to build on PWA's previous efforts to support the City Water Plant, and do a preliminary evaluation Luffenholtz Creek Watershed's long-term availability.

Clompus: I'd like the study to tell us what would be involved in evaluating the upstream recharge pond concept and determine if it will work – NOT to do the study, but what would be involved. Is that possible? Also, would you be able to research upstream landowners so we know who the City would potentially have to work with should the upstream recharge pond concept be considered?

Kraemer explained that there are limited funds for the project, and much of the work will be generalized. There is unique upslope topography, but this will not be a deep investigation. The result could end up promoting further, directed studies.

PWA Geologist Kathy Moley explained that we don't think this is a confined aquifer due to the marine terraced nature of the Trinidad area. However, we don't know how thick the marine terrace is. One thing we will evaluate is how thick the aquifer is, and in doing so we can project infiltration properties, etc. What you're asking for is a next step project, and we'd be happy to consider it once we get past the first step in the process which is to do the preliminary evaluation.

Ladwig: Can you share information about upstream water rights?

Kraemer noted that some of the rights are available online, along with well data. How many straws are in the creek – so to speak – can be found out pretty easily, but getting estimates of how much water being withdrawn is a little more complicated. Regarding upstream storage, recharge areas are usually created by doing instream wood-loading work in stream channels to retain the water longer.

Grover: I've been doing onsite investigations of the stream and have seen evidence of upstream catchments.

Davies: Once we've identified water right holders, is it possible to identify illegal diversions and track them down in the future? Kraemer noted that those measurements have been taken, but only during low-flow seasons. The telemeter onsite helps with measurements, but it might take a while to figure it out who might be responsible for illegal diversions.

West: We're looking for information to help us make a bigger decision on October 12 regarding our water supply. We're asking for a lot of info in a reasonably short time, and appreciate your help.

Public comment included:

Paula Levine – Trinidad Area, water customer

This will give you some data, but will be like comparing apples to giraffes when evaluating Luffenholtz Creek or Humboldt Bay Municipal Water as possible source options.

Dwight Miller – Trinidad

Will you be making projections for upstream flow? There should be a caveat in your report about climate science currently projecting precipitation volatility, and inability to predict future information. Cost predictions on infiltration galleries would be useful as well.

Moley noted they are unable to make future projections on rainfall, but they'll be able to use baseline streamflow from historic data. We will likely include climate unpredictability anyway, but will be able to recommend ways to mitigate that using scientific methodology.

Kraemer added that tracking El Nino and La Nina is easy to do, but impossible to predict rainfall or weather patterns into the future.

Anita Thompson – Trinidad

Concerned with using historic data. Look to the future because we're in a climate emergency.

Council comments included:

Grover: Would you consider including how seismic ruptures could affect the City's water supply?

Moley explained that after a quake, springs and aquifers can be affected. However, the watershed aquifer and all infrastructure (including a pipeline from Humboldt Bay Municipal) will likely be affected by a major rupture along the Cascadia Subduction Zone.

Clompus: The Council will be meeting on October 12 to make some important decisions. It would be helpful to have the information by the packet deadlines on October 08.

*Motion (Grover/West) to direct staff to negotiate contract with PWA as submitted and included in the packet to perform a preliminary evaluation of Luffenholtz Creek Watershed's long-term availability. **Passed unanimously.***

2. Discussion/Decision regarding Resolution 2021-09; Approving Financial Assistance Application from DWSRF for Water System Planning

City Manager Naffah summarized the staff report included in the packet, explaining that staff initiated a \$500,000 grant application to the Drinking Water State Revolving Fund (DWSRF) for water system planning. Proposed Project Objectives: 1) Develop plan of study; 2) Develop water distribution system operations plan and map; 3) Develop a Capital Improvement Plan and identify near-term and long-term capital projects to increase system reliability and resiliency; 4) Engage in regional water resiliency planning; 5) Develop concept design on priority near-term projects and plan identified hazard mitigation projects; 6) Complete supporting environmental studies for CEA and federal environmental compliance; 7) CEQA Mitigated Negative Declaration; 8) Prepare DWSRF Construction Application for priority projects.

A resolution is required to designate the Authorized Representative(s) for the project, clarify who will have the authority to sign and submit the DWSRF application materials, certify compliance with applicable state and federal laws, execute the financial assistance agreement and amendments, and certify disbursement requests. Staff will need technical assistance to complete the application process and recommends approving a scope of services with GHD for financial application assistance not to exceed \$5,000.

There were no public comments.

Council comments included:

Clompus: The City hasn't been able to produce a current capital improvement plan. This looks like an opportunity to take the first steps necessary to develop a good plan to engage in a number of different topics towards water resiliency. This is a bargain, and I support it.

Motion (Grover/West) to authorize staff to negotiate and execute an agreement with GHD not to exceed \$5,000 to provide grant application assistance for a Drinking Water State Revolving Fund grant, and Adopt Resolution 2021-09, Approving a Financial Assistance Application and Execution of Financial Assistance Agreement.

Passed unanimously.

3. Discussion/Decision regarding Trinidad Head Trail Sign referred by the Trails Committee.

City Manager Naffah highlighted the draft sign concept and supplemental letters provided by the Yurok Tribe, Trinidad Ancestral Society, and Trinidad Rancheria regarding the content of the sign, included in the packet. He explained that the intent of the project was to replace the deteriorated information sign at the entrance of the Trinidad Head Trail. He introduced Councilmember Davies and Trinidad Coastal Land Trust Director Carol Van Der Meer who will provide additional information about the process.

Davies: The sign was introduced and approved by the Trails Advisory Committee. The Ancestral Society approved the content, but the Rancheria requested revisions.

Clompus: Was there ample time to collect public feedback?

Carol Van Der Meer – Trinidad Coastal Land Trust

Submitted a letter detailing the process included in the packet. All the tribal entities were engaged, but at the recent Trails Committee meeting the Rancheria asked for the project to be pulled and included in the next Council meeting agenda.

Public comment included:

Sherri Provolt – Yurok Tribal Representative

The Yurok Tribe supports the creation story, and the sign as proposed.

Jacque Hostler-Carmeson – Trinidad Rancheria

The letter we sent speaks for itself. The sign as proposed excludes Yurok People and is not acceptable. To move forward with this sign would be in direct opposition to what we're all working on. We request including the

Rancheria's comments or revert back to the original sign. The Tribal Council has asked from G2G consultation regarding this project, but have not heard back. Before approving the sign, we request this opportunity.

Dwight Miller – Trinidad

I support the sign concept. Recognition of the Rancheria's concern should be given, but it may be appropriate to briefly postpone the decision until consultation is achieved.

Council comments included:

Clompus: If we can't get agreement from the original custodians of this land, we won't be able to satisfy everyone. It might be better to not offend anyone and remake the original sign until we go through mediation. I'm directly involved in the mediation process, I don't want to irritate people that we don't have to irritate. I support asking City Staff to meet with Tribal Representatives and make compromises as necessary, then return with a sign that we can celebrate.

Davies: I wasn't aware that the sign was going through litigation. I don't speak native language, but I disagree with replacing the old sign. I support replacing the sign with the one proposed tonight. If consultation is pursued, I hope it can be handled by Staff and include all the interested entities. Ok with tabling it, but only if necessary.

Van Der Meer acknowledged that there are issues at play here, but this is a rare opportunity to provide information to visitors about the significance of this site. While the sign focuses on the Tsurai village, it doesn't exclude other tribal entities. It would be useful for the Council to develop a protocol for soliciting input on Tsurai information and culture so we can avoid these challenges in the future.

Ladwig: We are reaching out to all 3 Tribal entities now that our G2G policy is in place. My perception is that this have been vetted extensively by the Trails Committee, and I don't see a connection between current litigation and this sign. Not everyone can have all their objectives met, and I look forward to having this sign approved tonight.

West: We've come a long way with this sign and it's a terrific accomplishment. I would be willing to postpone a decision until the next meeting and hear from the Rancheria.

Grover: I appreciate the sign and want to move in a direction where inclusiveness is at the forefront of our decision making. This isn't a safety sign, and I support it as proposed.

*Motion (Grover/West) to table this item and direct staff to engage in Government to Government meetings with concerned Tribes and return in September with a final draft. **Passed unanimously.***

4. Discussion/Decision regarding Trails Committee recommendations regarding signage replacement and Axel Lindgren Memorial Trail Improvements.

Trails Committee Chairman Davies explained that the Committee met on July 20, and recommended the following:

- 1) Maintain and replace existing signage throughout the trail system where necessary: 4x4 trail markers, signage naming trails where existing or once existed, etc.
- 2) The Trails Committee recommends that the Tsurai Management Team discuss the manner in which to repair the Axel Lindgren Memorial trail. Repair the toe of the trail at the beach, step maintenance, adding a handrail, and general maintenance in order to maintain the usability of the trail. Discussion of these items should take place in a public forum in which all stakeholders are allowed to participate.

Ladwig noted that it should be added that there is already an allocation of \$10,000, now \$20,000, budgeted for repairs.

Clompus: Why can't the Trails Committee meet with the Tsurai Management Team?

Davies noted that the Trails Committee is only an advisory committee. It makes recommendations, and nothing gets done due to challenges between stakeholders. It will shorten the process to have the Council go directly to the Management Team.

Public comment included:

Jacque Hostler-Carmeson – Trinidad Rancheria

Trinidad Rancheria has requested to be included in the Management Team for many years. The language brought forth tonight suggests the Team has been meeting publicly. Please clarify where the City is in this process. If meetings have been held, we have not been notified.

Davies: That's the reason this is being recommended to the Management Team. The Trails Committee doesn't want to step in the middle of the litigation, and is requesting the Council handle this and make some progress on these deferred maintenance issues.

Sarah Lindgren-Akana – Tsurai Ancestral Society

There have been misunderstandings stated. Management Team isn't a committee, and not subject to the Brown Act. Because Councilmembers want to attend, the Brown Act is triggered. There are situations where certain topics should not be discussed in public. Concerned that City Staff is afraid to work in or around the Study Area. We have been advocating that the City maintain and protect this area, to the point that lawsuits were made to make the City act and protect the site. We look forward to getting work done, and realize the importance of remembering the history.

Sherri Provolt – Yurok Tribal Representative

We appreciate the Trails Committee working with the Management Team on this item and encourage this to move forward.

*Motion (Davies/Grover) to accept the Trail Committee's July 20, 2021 recommendations in the meeting packet as amended (listed below), and recognizing the City is making \$10,000 available in each budget for trail maintenance issues in and outside the Tsurai Study Area. **Passed unanimously.***

- 1) *Maintain and replace existing signage, **not in the Tsurai Study Area**, throughout the trail system where necessary: 4x4 trail markers, signage naming trails where existing or once existed, etc.*
- 2) *The Trails Committee recommends that the Tsurai Management Team discuss the manner in which to repair the Axel Lindgren Memorial trail. Repair the toe of the trail at the beach, step maintenance, adding a handrail, and general maintenance in order to maintain the usability of the trail. Discussion of these items should take place in a public forum in which all stakeholders are allowed to participate.*

FUTURE AGENDA ITEMS

- **Davies:** Update on No Overnight Parking on Main Street, and parking violations at the Eatery.
- **Ladwig:** Update on Stormwater Project Status.
- **Grover:** Edwards Street pedestrian safety improvements.

ADJOURNMENT: 8:00pm.

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, SEPTEMBER 14, 2021 (ZOOM)

I. CALL TO ORDER

Mayor Ladwig called the Zoom virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, West, Clompus, Grover, Davies and West. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, Grant Administrator Becky Price-Hall, City Engineer Steve Allen. Approximately (23) attendees were present online at the beginning of the meeting.

II. PLEDGE OF ALLEGIANCE

III. CLOSED SESSION - *NONE*

IV. APPROVAL OF THE AGENDA

V. APPROVAL OF MINUTES – 08/10/2021 cc

Motion (Grover/Clompus) to approve the agenda as submitted. Passed unanimously.

VI. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

West: (HCAOG) 101 interchange design should be done by November, considering hybrid meetings, and acknowledging Westhaven's concerns regarding Rancheria offramp concept and impact to Westhaven Drive.

Davies: Nothing to report.

Grover: (RCEA) Offshore wind presentation tonight on the agenda.

Clompus: Provided a written report included in the packet that highlighted committee discussions, actions, and progress. Update on the CCNM Gateway Committee, Ad Hoc Water Committee, Luffenholtz Creek flow and CA extreme drought status. Municipal water for Eureka, Arcata, Blue Lake, and McKinleyville comes from Ruth Lake Reservoir, which is currently 80%. Trinidad does not have a reservoir – it gets water from a dynamic watershed, from an infiltration gallery from below the creek base. The wet well level has been slowly decreasing for years. Shared creek flow telemetry system data supplied by equipment that is now in place at the Treatment Plant. Explained how he reports cuf/sec flow by averaging several data points. Provided Stage 2 Water Shortage restrictions, and previewed tonight's Water Advisory Committee presentations. Noted the 2003 Winzler & Kelly Water Feasibility Study that critiqued the concept of tapping springs upslope in Luffenholtz Creek.

Ladwig: (RREDC) lending power has helped the local economy and reduced Covid business loan re-payments. Regarding Clompus's water report, the City's maximum flow rate was .8cft, which is a significant omission that should not be overlooked. Encouraged the public to reach out to planning@parks.ca.gov to weigh in on renaming of Patrick's Point State Park, to Sumeg Village Park.

Clompus requested additional comment regarding flow measurement calculation. **Mayor Ladwig** declined.

VII. STAFF REPORTS – City Manager & Law Enforcement

City Manager Naffah highlighted the law enforcement stats, as well as items provided in the staff report included in the meeting packet. Verizon is constructing their second tower in Westhaven. A test will be done when it's complete, scheduled for the end of 2021.

Resident **Dwight Miller** requested follow up from the August Council decision to present, in October, an estimate of the cost, time to completion, etc. from GHD regarding the HBMWD pipeline.

VIII. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Anita Thompson – Trinidad

Recognized Jan West for community outreach effort making Covid-19 vaccinations available at Town Hall. Concerned with Mayor Ladwig implying Clompus's creek flow data presented during his report was manipulated, and not allowing him to respond.

IX. CONSENT AGENDA

1. Staff Activity Report – August 2021
2. Financial Statements – July 2021
3. Law Enforcement Report – August 2021

X. DISCUSSION/ACTION AGENDA ITEMS

1. Presentation on Offshore Wind Energy Area – Bureau of Ocean Energy Management (BOEM) U.S. Dept. of the Interior.

City Manager Naffah introduced Dave Ball, Jean Thurston-Keller, and Lisa Gilbane from the Bureau of Ocean Energy Management, presenting a report on the Outer Continental Shelf Offshore Wind Leasing in California. The complete presentation included in the meeting packet summarized the process, overview, planning approach, information collecting and sharing, authorization process, wind area, and next steps.

There were no public or Council comments.

Presentation item only. No decision was made.

2. Discussion/Decision regarding Resolution 2021-10, Endorsing Single Payer Healthcare Legislation request for AB1400 and HR 1976.

City Manager Naffah introduced local advocate Ross Ward. Ward requested the City Council support the resolution and legislation presented in the meeting packet. Ward summarized several benefits of continuing the City's support for this legislation.

Public comment included:

Dwight Miller – Trinidad

Complimented the team for bringing this forward and urged the Council to support it.

*Motion (Grover/Davies) to approve Resolution 2021-10; Endorsing Single Payer Healthcare Legislation request for AB1400 and HR 1976. **Passed unanimously.***

3. Prop 84 ASBS Stormwater Project Update

City Manager Naffah introduced Grant Administrator Becky Price-Hall, GHD Engineer Steve Allen, and GRS Project Manager Casey Poff to provide the update.

Price-Hall explained that State and Regional Water Boards recently implemented a permit requirement to discharge to groundwater, and GHD is assisting the City with the permit. There are two (2) separate permits involved with the Stormwater. The first is the 2013 MS4, and the second is the new groundwater discharge permit. Upon project completion of the Stormwater Project, the groundwater permit would expire. The MS4 storm water permit, however, will need to be maintained indefinitely.

Engineer Steve Allen explained that construction was scheduled to begin in July, but now may not begin until late fall or early winter. Long lead times for construction materials is the primary cause for the delay.

GRS Project Manager Casey Poff noted that steel material for the outfall have been the hardest to procure, and getting the best materials for the City is the objective.

There were no public comments.

Presentation item only. No decision was made.

4. Discussion/Decision regarding Small Community Drought Relief Program Grant Application

Grant Administrator Becky Price-Hall explained that the Department of Water Resources (DWR) announced that it is accepting applications for the Small Community Drought Relief Grant Program through December 29. From the grant Guidelines page 2: *"The Program will support projects and programs that provide immediate and near-term water supply reliability benefits and improve small communities' drought and water shortage resiliency and preparedness. The specific objectives are to implement projects that provide reliable water supply sources, improve water system storage, replace aging and leaking pipelines, and provide alternative power sources for operation (emergency generators)."*

At the August Council meeting, the Water Committee presented the following recommendations capital improvements that improve drought resilience: 1) identifying and fixing leaks and 2) constructing a new water storage tank, and 3) to leverage water reserve funds to start the repair process while seeking grant funding. Both replacing leaking water mains and constructing a new water storage tank would be eligible projects for the Small Community Drought Relief Program.

Drought Relief Grant Projects must be completed by June 30, 2024, so projects that do not require in depth planning may be the best choice for this grant program. For this reason, staff recommends pursuing funding to replace leaking and old water mains. Constructing a new 500,000 gallon water storage tank could also be eligible. Staff will need technical assistance to complete the application process and recommends authorizing up to \$4,000 for development of the application package.

This grant program is a non-competitive first come, first served opportunity until the grant funds run out, so time is of the essence.

Council comments included:

Clompus: Clarified that the Water Advisory Committee recommended two (2) 250,000 gallon tanks, making one available in case the other failed.

Public comment included:

Paula Levine – Trinidad Area

I would recommend prioritizing fixing leaks and waiting for the Council's October 12 water source discussion before writing grants for new storage tanks.

Motion (Clompus/Grover) to:

1. *Authorize staff to complete the application for the Trinidad Drought Relief Project for the water main replacement and/or new water tank based on eligibility and cost considerations.*
2. *Adopt Resolution 2021-11, Authorizing the Grant Application, Acceptance, and Execution for the Trinidad Drought Relief Project.*
3. *Authorize up to \$4,000 in Water Funds to be spent for grant application technical assistance.*

Passed unanimously.

5. Discussion/Decision regarding Water Shortage Response Team Appointments – Councilmember and Planning Commissioner.

City Manager Naffah explained that Ordinance 2021-03 is the Water Shortage Contingency Plan and creates the Water Shortage Response Team (WSRT). The team is composed of the City Manager, Public Works Director, one Councilmember, and one Planning Commissioner. The City Council should appoint a Councilmember to the WSRT, and should request that the Planning Commission appoint one of their members to the WSRT as well.

There was no public comment.

*Motion (Ladwig/West) to appoint Councilmember Grover to the WSRT, and request the Planning Commission appoint a Planning Commissioner at their next meeting to the WSRT. **Passed unanimously.***

6. Discussion/Decision to Select Dates, Times, and Council Representatives to a Government to Government (G2G) Consultation with the Trinidad Rancheria.

City Manager Naffah explained that in a letter dated May 26, 2021, the Trinidad Rancheria requested a Government to Government Consultation to discuss the Trinidad Head Sign. They wish to have the consultation on either September 20th or 21st at 10 am. The City Council should appoint 2 Councilmembers as an Ad Hoc Committee for the purpose of this consultation.

Jacque Hostler-Carmeson – Trinidad Rancheria

Preferred holding a live meeting, but Zoom would be acceptable.

There was no public comment.

*Motion (Ladwig/West) to appoint Councilmembers West and Clompus to an Ad Hoc Committee to meet with the Trinidad Rancheria to discuss the Trinidad Head Sign on September 20th at 10:00am, held via Zoom, noticed in the city's legal format, and open to the public. **Passed unanimously.***

7. Presentation from Water Advisory Committee regarding Mill Creek Water Rights, and Motion to Accumulate Flow Data for Mill Creek.

Water Advisory Committee Member Bryce Kenny explained that the meeting packet included a 4-page report regarding the Mill Creek water resource. The recommendation is to monitor the creek flow on an ongoing basis, not for only several weeks as indicated in the City Manager's summary of this agenda item included in the packet.

Council comments included:

Clompus: I fully support a manual data collection process. If rain is expected in November, I would recommend weekly readings during low flow until then. The current telemetry system on Luffenholtz Creek was installed at a cost of \$28,000 to the City, and prior to that measurements were only taken during low-flow periods. **Grover** agreed.

Davies: I support this as well, on an ongoing basis. **West** agreed.

Ladwig: We want to see what the capacity of Mill Creek is during the dry season. It may be November, but could be December. The information could be very informative.

Public comments included:

Paula Levine – Trinidad Area

It is a waste of water funds to monitor Mill Creek. If the Council wishes to monitor Mill Creek, it should obtain a legal easement to the old dam site. It makes no sense to invest in monitoring if there isn't legal access to the site.

Anita Thompson – Trinidad

It would be a waste of time and money, based on climate reports on current trends, and based on Water Advisory and Ad Hoc Committees recommendations. Vote no based on current water status and low flows. Vote No because of information included in 2003 Feasibility Study shared by Clompus tonight. Decide based on facts, not dead ends like Mill Creek.

Sherri Provolt – Yurok Tribal Representative

I would like to see all options, but I don't see information on the cost of ongoing monitoring included in tonight's report.

Council comments included:

Ladwig: How was the water collected and distributed when Mill Creek was the water source for the City?

Clompus: Clarified that the 2003 Feasibility Study noted that prior to Luffenholtz Creek, Mill Creek water was untreated and distributed to customer's homes as raw water. Would like to know the cost of monitoring Mill Creek prior to approving a contract.

City Manager Naffah recommended a 5-week monitoring schedule to assist in the decision on October 12.

Davies: If we're going to have Advisory Committees, let's stick with the advice we get from the Committee and not have Staff change it before it reaches the Council.

Advisory Committee Member Dwight Miller noted that a time frame was not determined by the Committee.

*Motion (Davies/Grover) to request a proposal from Pacific Watershed Associates for manual flow rate monitoring of Mill Creek on a weekly basis until the October 12 meeting, and return with a proposal for ongoing monitoring through the 2022 dry season. **Passed unanimously.***

8. Presentation from Water Advisory Committee regarding Trucking in Water Option during an Emergency.

Councilmember and Advisory Committee member Grover presented his research first to the September 07 WAC meeting, and now included in tonight's meeting packet. Summarized, he spoke with several bulk water delivery companies and determined that it would not be efficient or effective to purchase and deliver water in an emergency to the storage tanks. However, a more reasonable solution would be to encourage residents to install individual collection tanks and be self-reliant in an emergency.

There was no public comment. Council continued to the next presentation, source options.

9. Discussion/Decision to Survey Water System Customers regarding Water Source Options.

Councilmember Clompus explained that back in August when the City began discussing future water resiliency, the City Clerk received a number of emails from the public voicing their opinions. Would like to know, prior to the October 12 meeting, that we heard from our constituents via a survey. I don't want to guess what they want. Hearing directly from the residents (and city water customers) will help guide the City Council as we move forward with this important decision. Survey questions and timeline are included in the packet for consideration.

City Manager Naffah explained that the City Clerk's office is short-handed at the moment due to the resignation of Administrative Assistant Angela Zetter. This project would be labor intensive and I'm concerned for the burden it may place on the existing work schedule.

City Clerk Adams echoed Naffah's concerns, but noted that if the Council decides to move this forward, the more complete the survey is going out, the better. If the Clerk's Office is expected to take it from here, handling it from start to finish, it will be difficult to accomplish in such a short time frame.

Advisory Committee member Miller shares staffing concerns but argued the project would be very simple with a few volunteers. During my time on the Council I felt uncomfortable deciding major decisions without hearing from a broader spectrum of residents. It feels anti-democratic to say we don't have time to hear from everyone. Disclaimers can be included in the survey regarding the information included if there's a question of accuracy.

Ladwig: Staff time is currently spoken for, and we received a large amount feedback already.

Clompus: I would be willing to help. Most of the feedback we've received has been from residents outside the City. To say we have already heard enough, is not being a representative government. Having more information would be a great benefit towards making a decision that could affect the next 50 years.

Advisory Committee member Kenny argued that this is not the right time for a survey that has never been done before. Pro & Con statements are often litigated to determine truthfulness. Staff is already committed, and recommend against it. Anyone that sends an email or attends a zoom meeting can state their resident status. There are easier ways to ascertain that without having to do a quasi-public initiative program.

Public comment included:

Paula Levine – Trinidad Area

WAC objective number 1 is to create a public forum. That's what this letter attempts to do. Many customers are not familiar with the issues. The Committee supports this survey.

Anita Thompson – Trinidad

I support the survey. It will inform the customers on an upcoming important decision. There are misconceptions out there and this will be helpful.

Sherri Provolt – Trinidad property owner

Answers to questions in your survey are important to find out, but I caution the rush. There are different people authoring the survey, and the Council will not see the final draft before it is sent to the community. If it's coming from the City, it should be very clear what you're asking. Don't put staff in a rush situation. What will the cost be? Take the time to get the information you need.

Council comments included:

West: Not sure who's writing this? Are both sides participating? I'm uncomfortable with the short timeline. It hasn't been put together thoroughly.

Grover: I agree with West. I'm also concerned with not seeing the final draft before it goes out.

Davies: Fact-checking will not be done. It's a can of worms that should not be opened. I don't support it.

Motion (Ladwig/Davies) to not send out the survey as proposed in the Council meeting packet. Motion failed by the following vote: Yes (West, Davies, Ladwig). No (Clompus, Grover). The survey will not be sent.

10. Discussion/Decision regarding Support of CalCities Positions on State Legislation; A) Support of AB361 Open Meetings During Declared State of Emergency, B) Request Veto of SB 9 – Increased Density in Single Family Zones, and C) Support CalCities Resolution at the League Conference to request the State Legislature to Pass Legislation for a Fair and Equitable Distribution of the Bradley-Burns 1% Local Sales Tax from in-State Online Purchases.

City Manager Naffah summarized each position, followed by brief discussion by the Council, with no public comment.

A) *Motion (Davies/Grover) to support AB361. Passed unanimously.*

B) *By consensus, the Council did not support Veto of SB 9.*

C) *Motion (Grover/West) to support the Resolution for fair and equitable distribution of the Bradley-Burns 1% Local Sales Tax. Passed unanimously.*

FUTURE AGENDA ITEMS

- **Clompus:** PWA Report, GHD Report, Debate and Vote on participation in HBMWD Water Pipeline, Water Rate Analysis.
- **Davies:** TOT Raised to 12%.
- **Ladwig:** STR Ordinance.

ADJOURNMENT: 9:12pm.

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, OCTOBER 12, 2021 (ZOOM)

I. CALL TO ORDER

Mayor Ladwig called the Zoom virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, West, Clompus, Grover, Davies and West. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Engineer Steve Allen. Approximately (48) participants were present online at the beginning of the meeting.

II. PLEDGE OF ALLEGIANCE

III. CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation (Calif. Gov. Code Section 54956.9(d)(1)) (1 Case: City of Trinidad vs. Tsurai Ancestral Society, et. al, Humb. Co. Sup. Court Case No. 180684

IV. RECONVENE TO OPEN SESSION

No reportable action from closed session.

V. APPROVAL OF THE AGENDA

Motion (Grover/West) to approve the agenda as submitted. Passed unanimously.

VI. APPROVAL OF MINUTES – 08/24/2021 cc2 & 09/14/2021 cc will be reviewed in November.

VII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

West: (HCAOG) New 101/299 offramp is almost complete.

Davies: Nothing to report.

Grover: (RCEA) Offshore wind project is moving forward. Attended webinar on water storage systems.

Clompus: Provided a written report included in the packet that highlighted committee discussions, actions, and progress. Reported on September CCNM Gateway appreciation event, and announced that the Blessing of the Fleet will occur on Thanksgiving. The Water Advisory Committee is happy to report that a grant application has been submitted to repair leaks and enhance storage. Explained the Luffenholtz Creek flow calculation process, extreme drought status restrictions, and shared recent photos of Luffenholtz Creek taken at the Treatment Plant.

Ladwig: Nothing to report.

VIII. STAFF REPORTS – City Manager & Law Enforcement

City Manager Naffah highlighted the law enforcement stats, as well as other notable updates listed in the staff report included in the meeting packet. Water Department Director Ryan Desmet will be resigning this month, but has agreed to stay on with the City during the transition as a consultant. Live Well Humboldt is preparing a Public Health Plan that Trinidad will participate in. Climate Change and Sea Level Rise Vulnerability Assessment Survey was presented to the BLM in a webinar. Verizon is constructing their second tower in Westhaven. A test will be done when it's complete, scheduled for the end of 2021.

IX. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Dick Bruce – Trinidad

Edge of pavement on Hector and Underwood is deteriorating and should be addressed.

Anita Thompson - Trinidad

Thanked Richard Clompus for outstanding service to the City. He will be greatly missed.

X. CONSENT AGENDA

1. Staff Activity Report – September 2021
2. Financial Statements – August 2021
3. Law Enforcement Report – September 2021

4. Stormwater Project Update
5. Water System Drought Funding Grant Update
*Motion (Grover/West) to approve the consent agenda as submitted. **Passed unanimously.***

X. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding Resolution 2021-12: Authorizing Continued Use of Virtual Meetings.
City Attorney Russ Gans explained that the current Assembly Bill adopted by the State continues the virtual meeting protocol, but requires the City to renew the findings every 30 days.

There was no public comment.

*Motion (Ladwig/West) to adopt Resolution 2021-12 Authorizing Continued Use of Virtual Meetings. **Passed unanimously.***

2. Discussion/Decision regarding City Water Supply; Including presentations from Pacific Watershed Associates regarding Luffenholtz Creek Watershed Water Availability and from City Engineer GHD regarding HBMWD Water Main Extension Preliminary Evaluation.

City Engineer Steve Allen summarized a detailed memo included in the meeting packet, dated October 06, 2021, *HBMWD Water Main Extension Preliminary Evaluation – Project Number 11194120.*

On August 10, the Council requested staff to gather more information about the following items:

- 1) Likely timeline to completion for when water could be delivered to the City,
- 2) Potential costs for participating in the water line extension,
- 3) Other contractual considerations for City participation.

Background: The water supply for the City of Trinidad has been studied several times over the past decades. In recent years, it has become clearer that climate change, extractions from the watershed, or other factors are affecting the available flow from the watershed. Recent monitoring has shown that the flows in the Creek can get very low and have been very close to the curtailment level. When the Trinidad Rancheria approached the City about supplying additional water to meet the Rancheria's future needs, the City considered the existing water supply and concluded they could not commit to providing the requested quantity of water. The Rancheria then approached the Humboldt Bay Municipal Water District (HBMWD) regarding extending a pipeline from the current terminus of their system at Clam Beach.

The HBMWD system is based on a robust water supply from Ruth Lake, which is expected to be less affected by climate change than small coastal watersheds. Their system currently has excess water supply capacity.

Pipeline Opportunity: GHD has gathered information, conducted a preliminary hydraulic analysis, and developed a planning level opinion of probable construction costs. Augmenting the City's water supply from HBMWD would not require any substantial changes to the City's current water supply and treatment system, and would add resiliency and redundancy by providing an additional, reliable source.

The water main extension project from Clam Beach to the Trinidad Rancheria is in progress and on track to proceed whether or not the City participates in the project. Both the Rancheria and HBMWD have expressed their openness to include the City in the project at this stage, which will make it more cost effective for everyone.

Timeline: The timeline to complete the extension is not set and will depend on several factors yet to be determined. A likely timeline based on current knowledge is between 5-10 years.

Potential Cost: The potential cost for the City to participate in the new water main extension is not yet fully defined because the project is not yet fully defined. Various grants are likely to be available to the City, as well as to the Rancheria. Sharing the cost will help make the project more cost effective to both parties. A preliminary cost is projected to be between \$6-9 million, with the City's portion being very small relative to the total cost. If the City does not participate in the pipeline, the fundamental issue of water supply reliability remains, and how much money will be required to address a future supplemental water source will depend on what is implemented and when it's implemented. In the future there may be fewer technical options, fewer grant opportunities, and additional regulatory requirements.

Hydraulic Evaluation of Water Main Size: In a letter from HBMWD to the Trinidad Rancheria dated August 02, 2021, HBMWD presented the results of their preliminary analysis noting that a nominal 6-inch diameter water main appeared to have sufficient capacity to serve the anticipated needs for the Rancheria. It appears that a 6-inch pipe flowing at 315 gpm has the capacity to supply both the City and Rancheria's daily demands.

Summary:

- Future water shortages are a real possibility that the City should plan for.
- The new water supply will add resiliency and redundancy to the City's water system that could be used separately or in tandem with the current system.
- The City's current water system should continue to be maintained and improved whether the HBMWD source is pursued or not.
- Both HBMWD and the Rancheria have expressed their openness to include the City in the project.
- The State Division of Drinking Water, State Water Resources Control Board, will likely support a connection, which would likely allow the facility to operate at a Tier 2 certification level as compared to the Tier 3 is currently requires.
- Should the City decline to participate, future options to receive water from HBMWD are not certain and may be considerably more expensive.

Council questions included:

Davies: What is the procedure for rate payers covering the costs? **Allen** mentioned HBMWD looks at 5-year projections passed along to customers.

Clompus: This is a great time for small cities to embark on this type of project. The HBMWD meeting packet describes a scenario where if 5-years later the City decides to connect, the City may be required to pay 50% directly to the Rancheria. **Allen** noted that there will never be a better time to bring HBMWD water to the City.

Davies: Will GHD be the engineer for the entire connection project? **Allen** noted that was unlikely.

Mayor Ladwig introduced Pacific Watershed Associates representatives to present information regarding water availability in the Luffenholtz Creek Watershed. Hydrologist Todd Kraemer shared a presentation entitled *Overview of Luffenholtz Creek Water Resources and Water Availability dated October 12, 2021*, included in the meeting packet.

Kraemer explained that on August 24, 2021 the City Council directed staff to negotiate contract with PWA to perform a preliminary evaluation of Luffenholtz Creek Watershed's long-term availability. The objective of commissioning the evaluation was to aide in the decision facing the Council whether to consider joining the Rancheria in a HBMWD pipeline connection.

Background: The purpose of the evaluation will generate a better understanding regarding the role of the groundwater reservoir and estimate groundwater factors with greater accuracy. The study addresses the probable water supply and size of underground aquifer contained year-round in marine terraces upslope of the City's water intake, and makes recommendations for further directed watershed and water availability studies to more closely define and quantify feasible options for enhancing and developing a long-term, sustainable watershed-based water supply.

The presentation outline included:

1. Components of a water budget.
2. Geology
3. Hydrology
4. Local rainfall data trend
5. Land Use and effects on stream flows
6. Recommend treatments to increase summer water yield.

Kraemer introduced PWA Geologist Danny Hagans who presented a comprehensive review of the Luffenholtz Watershed illustrated through a detailed geologic map showing the 5 primary marine terraces that define the Trinidad watershed.

Hagans explained that based on the literature made available through studies by Geologists Padgett, Kelsey, and Lamphear, and well data obtained from CA Department of Water Resources, minimum water table depths within

each terrace level range from 25-75 feet. Water contained within the alluvial subsurface is traveling in a gravitational flow within the watershed.

Hagans presented calculations of water volume estimates within the 4 marine terraces above the intake. He estimated that the terrace alluvium volume is approximately between 39,180 – 76,730 ac-ft. If 20% of water contained within the alluvium volume is accessible, the amount is between 7,835-15,345 ac-ft. If 10% of water contained within the alluvium volume is accessible, that amount would be between 3,920-7,675 ac-ft. For comparison, the Ruth Lake Reservoir Water Storage is approximately 42,000 ac-ft.

Kraemer presented information regarding historic stream flow and rainfall data, and showed a decreasing 30-year rainfall trend, but noted the City has not been required to curtail diversion. He also covered Land Use issues that affect hydrology, continuous daily demand during critical dry period, and stream flow data from August 13-20.

Kraemer established the following 8 primary summary conclusions:

1. The aquifer consists of geologic terrace deposits of gravel and sand in the upper watershed, and fractured bedrock in the middle and lower watershed.
2. The aquifer is a water bank that stores infiltrating rainwater during the winter and slowly discharges it into the creek in the summer.
3. Rainfall records show a gradual decrease in mean annual precipitation over the last 30 years, and will likely continue.
4. A critical dry period occurs each year from August-November when streamflow is low and demand is high.
5. Land use in upstream watershed consists of commercial forest management and residential parcels.
6. August 2021 stream flow data shows daily fluctuations attributed to natural water use by vegetation and withdrawals by upstream landowners.
7. Low flows in critical dry period of summer 2020 and 2021 approached but did not fall below discharge levels required by permit requirements.
8. Total annual rainfall and streamflow in the watershed is significantly more than needed to provide Trinidad with a sustainable supply of water, but winter rainfall and runoff will likely need to be stored for summer use during the critical dry period as climate continues to dry and water use continues to increase.

PWA summarized recommendations (with additional details included in the presentation packet):

1. Decrease water loss and water use.
2. Increase water availability
3. Conduct additional water resource planning and feasibility investigations to address water availability and water use.

Council questions included:

Ladwig: Regarding work PWA did on the Mattole, what methods were used to preserve water in the watershed?

Kraemer explained how landowners acquired large self-collecting storage tanks, and locals are preserving resources.

Clompus: What municipalities have implemented creating reservoirs, catchment ponds, etc.?

Kraemer explained that Morro Bay and San Luis Obispo developed reservoirs many years ago. Some of the larger tanks hold up to 500,000 gallons of water. We don't have cost estimates, but placing reservoirs on upper marine terraces is possible.

Grover: The alluvium is essentially a sponge, correct?

Hagans explained that yes, it's like a big sponge, but it's an old sponge. Gravity has compacted it over nearly 100,000 years. Not all the water can come out of the sponge. It gets more clogged as time passes.

Ladwig: If we wanted to construct recharge ponds, would we be doing so on the marine terraces?

Hagans explained that yes, you would do it on the flat terraces. You can slow the velocity of the water down, but you can't do it at the same level as you could in upstream reservoirs.

West: Is there enough water in the watershed?

Kraemer stated that the City has not had to curtail, yet, and you not doomed, but you need to increase infiltration into the near surface groundwater (log jams, etc.).

Hagans added that you have 3-5 years to determine which direction you'll go, based on your Engineer's report. You're going to have to spend a lot of money one way or another because the situation will get worse. You have to do something.

Davies: Have timber companies worked with other agencies on recharge ponds?

Hagans explained that timber companies are our neighbors, but drought affects them too.

(70 participants on Zoom at this point in the meeting)

Public comment included:

Jim Baker – ex Trinidad resident and Councilmember

The concepts sound great, but I'm concerned with the reality of implementing these ideas. Regarding Southern Humboldt, peer pressure works great when you're all in the same business and shared culture. I'm not sure the same applies to Trinidad. Not everyone will share an obligation to work for the common good. I agree with you completely, but getting people to do the right thing – enough to make a difference – good luck.

Dave Hankin – Westhaven

I've been looking at annual rainfall records from Woodley Island since 1942. Trend analysis require more evaluation.

Anita Thompson – Trinidad

Read from a statement included in the public comment packet. If Council decides not to pursue a connection with HBMWD, it is disagreeing with 4 of 5 members of the Water Advisory Committee, it is not representing with a majority of residents, ignoring the Ad Hoc Committee data, and past engineering reports. HARP has been advancing their position against the Tribal economic plans. This is not a political issue, it's a human right issue. Water security is critical. The Council represents Trinidad residents – not Westhaven, and not HARP. Protect resident safety and well-being. There is a climate emergency and you need to act now. Don't follow dead ends.

Dwight Miller – Trinidad

Dave Hankin wants to explore trends and statistics, based on past data. We want to project the future, and climatologists equipped with the best technology are looking toward the future. I'm concerned about less water. We need to have a plan for when we get less water consecutively than the trend lines project. I supported Madrone's plan many years ago, but climate reports suggest we need a fast and affordable plan to secure a reliable source.

WCSD Manager Paul Hagen shouted "time" and interrupted Miller.

Dick Bruce – Trinidad

45 year resident of Trinidad. In favor of partnering with the Rancheria in bringing HBMWD water to Trinidad. The climate has changed. Trinidad's water supply is at risk of drying up. People, schools, businesses, and public safety are important elements of a community, but water is a necessity to sustain it. Opponents of this will tell you to develop the Luffenholtz watershed with unproven methods. Obtaining permits will take years, and tell you the water will open the door to unrestrained growth and development. The water will arrive in Trinidad no matter what. Don't lose sight of who you represent. It's not your duty to make decisions for water policy for the unincorporated area of Trinidad.

Don Allan – Westhaven

I hear "let's follow the science", but PWA just told us there is plenty of water in the watershed. I also hear this arrogant attitude that the City needs to listen only to its constituents. Listen to your consultants. If a water line is extended, the water will have to be offered to anyone along the way.

Dave Hankin – Westhaven

Westhaven resident and WCSD Boardmember. Reject the proposal to join the Rancheria in the water line extension. I don't see the rush or need to do it now. You can tap in later if needed. Westhaven CSD declined the connection opportunity. I'm concerned with how little input that has been provided by your Plant operators, and offended by pipeline proponents saying the Council shouldn't listen to county residents. The Council should welcome all the local expert advice. Many residents of 95570 are concerned with potential growth issues, and this has not been studied in depth.

Marijane Poulton – Trinidad

The Rancheria will have the contacts and funding to connect the HBMWD pipeline. It's coming, and the City's decision to join won't affect that. Have PWA experts participated in recharge pond projects in the region that were for municipalities and/or paid for in full by grants?

Hagans noted an example along the Eel River, but it's on private property.

Meighan ? – McKinleyville

The same narrow vision got us into the climate problem, looking for an industrial solution for a community problem.

Leslie Zondervan-Droz – Trinidad area

Trinidad water customer for 44 years. I support Supervisor Madrone's concepts and seeking water independence.

Sherri Provolt – Trinidad property owner

The Rancheria wants water for industrial development, but I'm in favor of water independence.

Steve Madrone – Westhaven resident / County Supervisor

Thanked all the participants. Shared how the Watershed Council focuses on issues of common concern. Do we have to fight over water?... no. It's time for Trinidad and WCSD to provide cost sharing to install personal storage tanks. Groundwater storage and small-scale upstream projects are important. We need to reduce consumption, fix leaky pipes, and support groundwater recharge upstream.

Paula Levine - Trinidad

This is an excellent opportunity to connect to Humboldt Bay water, which seems to be the most environmentally responsible direction, as opposed to developing upstream in the watershed. Past engineering reports suggest Humboldt Bay would provide the most resilient option. Take the opportunity to make a sound financial and responsible decision to move forward with the Rancheria and HBMWD.

Paul Rosenblatt – WCSD Manager

There are approximately 3000 residents in the 95570 zip code. WCSD believes that their customer base is approximately 400. The Human Rights Water Act requires our district to serve people within a half mile if there's inadequate water available to those underserved residents. A law can't be passed to only allow water to be used within a specific jurisdiction. We have been asking for an intertie between WCSD and Trinidad for years.

Council comments included:

West: What happens to our community if we have more water? I've been concerned about how our decisions will affect the neighboring area in terms of growth. Also concerned with land developers expanding in the Trinidad area. GHD and PWA presented great information. I support pursuing Madrone's concepts to enhance our current system for the next few year and if we're not improving, then we can consider working with the Rancheria to connect to Humboldt Bay water.

Clompus: As Chair of the Water Advisory Committee, I hoped to help the City Council make long-term decisions about the water system that the City has neglected for the last 18 years. What we've been able to do in the last month is to apply for grants to fix leaks and increase storage. There are a number of options we have to increase water supply. No matter where it comes from, there will still be more water. Whether we get it from upstream or through a 6-inch pipe, the City will have to deal with it. We can hook up to a pipeline that will come anyway, or purchase land, get grants, and develop uphill solutions. Does the Council want a sure thing, or take chances? My recommendation is to connect to Humboldt Bay Water. Not making a decision isn't the answer.

Davies: Water resiliency is important, but this wasn't an issue until the Rancheria asked for water for their hotel. Will the Rancheria give up access to Trinidad water if a pipeline is built? Nothing in the GHD, PWA, or Madrone reports make guarantees. I read through all the comments. Not everyone in Trinidad wants the pipeline. What is the cost that will be passed on to customers? People say Land Use restrictions will control development. It's a fact that public water sources will reduce septic setbacks for development. I'm not in favor of connecting to Humboldt Bay. This needs to rise to the top of city business— over Storm water and everything else. Time needs to be spent on this project every day until we can move forward with a resolution.

Grover: I've read through all the comments. I am put-off that no one has asked me about how I make my decisions. I have been doing a lot of listening. I studied environmental policy at Humboldt State. The evidence provided by the experts is that we don't have all the answers. When you say we're going to get by, you're taking a chance on the future. It might be ok to have some sustainable green growth, and develop wisely. Our constituents want to have long-term water security, and as representatives of the City we need to listen to everyone, but put our residents slightly ahead. I support working with the Rancheria and pursuing a connection with Humboldt Bay water.

Ladwig: I appreciate PWA's contribution to this discussion. I believe that we have not yet fully developed our watershed resiliency, and support continuing development of the Luffenholtz Creek watershed until the pipeline is built.

Motion (Ladwig/Davies) to continue to develop Luffenholtz Creek Watershed and consider HBMWD water until the pipeline is built.

Davies offered the amended motion: *To continue to develop Luffenholtz Creek Watershed and pursue storage opportunities, and delay consideration of connecting to HBMWD.*

Clompus: The motion is vague. Put some teeth into it and provide clear direction.

Ladwig: Continue to pursue funding for water storage, Treatment Plant improvements, and fixing leaky pipes.

Clompus: We already have grant applications submitted to fix pipes and improve storage.

West: PWA makes very specific recommendations that could be incorporated in the motion. **Ladwig** was agreeable to incorporating PWA's recommendation number 7 into the motion.

The City Clerk prepared the following motion to reflect the amendments being proposed:

Motion (Ladwig/Davies) to increase the supply of water to the Trinidad Water System by obtaining winter storage and develop reservoirs, increasing infiltration to the gravel aquifer and/or appropriative rights to springs in the Luffenholtz Creek Watershed, and consider a HBMWD connection after the Trinidad Rancheria pipeline is built, within 3-5 years.

Motion passed by the following vote: **(3) YES** - West, Davies, Ladwig. **(2) NO** – Clompus, Grover.

3. Discussion/Decision to Accept Resignation of Councilmember Richard Clompus, and Authorize Recruitment Process to Fill the Vacancy by Appointment.

Clompus explained that he has to resign because he is moving out of the area to be closer to family. He further explained that he is an independent critical thinker, and appreciated the opportunity to serve and become a change-agent. He only had 2 regrets:

1. The Brown Act precluded him from getting to know his fellow Councilmembers better, and
2. Joining HARP. The organization had racial undertones that I became uncomfortable with.

Ladwig, West, Grover, and **Davies** expressed their appreciation for his service.

By consensus the Council accepted his resignation and authorized staff to begin the recruitment process.

FUTURE AGENDA ITEMS

- **Davies:** TOT Raised to 12%.
- **West:** Continued water issues.

ADJOURNMENT: 10:10pm.

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor

DRAFT



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION ATTACHED

1. Staff Activity Report – October 2021

City Manager's Report

Date: November 9, 2021

SB 1383 Organics and Compliance Service Agreement:

The seven cities, the County, and Humboldt Waste Management Authority (HWMA) have entered into an agreement with Edgar and Associates to provide SB 1383 compliance. The contract for services is nearly \$160,000 but Trinidad's share is \$3,192. The state requires compliance with the bill, but by the various entities working together the cost for each one is minimized. The formula used accounted for both the size of Trinidad, and the fact that the city is not a member agency of HWMA.

Trinity Street Pedestrian Connectivity and ADA project:

The finishing touch to this summer's Trinity Street grant project is underway to further address ADA (Americans with Disabilities Act) issues. Wooden posts and a mariner's rope are being added near Town Hall by the handicapped parking space. Some concrete with cracks is being replaced. The concrete around the sidewalk by Town Hall will be stained to make the relocation of the sidewalk stand out more, along with an arrow pointing the direction of the new sidewalk path.

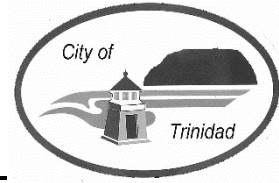
Audit:

The City's Auditor Ralph Marcello of Marcello & Company conducted the 2020-2021 Audit on-site the week of October 18th. It was a more efficient use of the time required by doing it on-site this year since the prior audit was done remotely due to COVID. The Audit should be received by the City in a couple of months. Kudos to City Clerk Gabe Adams for spending working and after hours to provide our auditor with any requested documents and statements in order to complete the audit in a timely manner.

Prop 68, OPC Trinidad Coastal Resiliency Grant YouTube Video and Planning Project Launch:

The Ocean Protection Council has prepared Episode 13, a YouTube video that is a part of a miniseries on Prop 68 Climate Resilience. Our City Manager and Grants Administrator both appear in the video on the Trinidad Community Coastal Resiliency Planning Project. The planning project will address sea level rise, bluff erosion, and the impact of climate change on Trinidad. Stakeholders include but not limited to the City of Trinidad, CA State Parks, the Trinidad Rancheria, the Yurok Tribe, the Tsurai Ancestral Society, the Trinidad Coastal Land Trust, Humboldt County, and the Bureau of Land Management. The video was launched on November 4th and can be viewed in the following link: [Episode 13: Trinidad City Community Coastal Resiliency Planning Project - YouTube](#)

To: Trinidad City Council
From: Becky Price-Hall, Project & Grant Coordinator
Date: November 4, 2021
Re: November 2021 Project and Grant Report



This has been a busy year.

Develop Proposals and Secure Funding for Priority Projects

Water System funding: Work with the Water Committee to research, identify and pursue resources (funding, etc...) to improve water system resiliency, replace and relocate older leak prone water mains, construct additional water storage.

- **Multi-Benefit Drought Relief Grant Program:** The Grant Program Proposal Solicitation Package was released by Department of Water Resources on October 28, so staff is beginning the proposal development process for a possible watershed/water supply drought relief project. In a separate Consent Agenda item, Council will consider passing a resolution and directing staff to prepare and submit an application.
- **Small Community Drought Relief Program:** An application was submitted on October 4 to the Department of Water Resources for \$6,167,453 for the *Water System Drought Resiliency Project* to replace old waterlines and construct a new 300,000 water storage tank. The City's application is in the queue for review in the coming weeks.
- **Drinking Water State Revolving Fund:** An initial planning grant application (\$500,000) for the *Water System Capital Improvement and Resiliency Planning Project* was submitted to the Drinking Water State Revolving Fund in December 2020. Staff will work with GHD to complete the Technical and Financial application packages.

Non-grant (general fund) Projects and tasks assigned:

- *MS4 Permit (Stormwater Discharge Regulations) & Area of Special Biological Significance (ASBS):* Prepare and submit the MS4 Permit annual report. The report consists of 98 questions covering compliance activities and recordkeeping in all permit elements: Program Management, Education and Outreach Public Involvement and Participation, Illicit Discharge Detection and Elimination, Spill Response Plan, Pollution Prevention/Good Housekeeping for Permittee Operations, Storm Drain Assessment & Prioritization, Post-Construction Stormwater Management Program, Program Effectiveness Management.
- *Trinidad Bay Watershed Council:* Organize and hold a Watershed Council Meeting on October 11 to discuss water issues and watershed partner updates.
- Work with staff and auditor in October for the FY 20-21 audit preparation.

SB 2 Planning Grant Funder: California Department of Housing & Community Development

Grant Term: 9/3/20 – 9/15/23 Grant Amount: \$160,000

Project Description: This SB2 Planning Grant funding is being used to bring the City's Housing Element into compliance with State requirements. It will also be used to develop Accessory Dwelling Unit and other regulations to encourage affordable housing that will be compliant with both HCD and Coastal

Commission requirements. Tasks include a parking study, Housing Element administrative tasks, ADU administrative tasks, ADU design and procedures, and grant administration.

Project Status: \$48,3267 has been spent to date, approximately 30% of the grant budget.

Task 1: Parking Study:

An inventory of parking spaces (onstreet and parking lots) in the City was completed. Several different surveys for different user groups were developed and distributed. Parking counts on all different days and times were conducted through Labor Day weekend. A spreadsheet was created, and the parking count data has been entered. The results are being analyzed.

Task 2: Housing Element

Time has been spent on miscellaneous correspondence and inquiries regarding the City's Housing Element. Some staff time was spent on preparing and approving the Housing Element in 2020 was able to be back-billed to the grant. Time was also spent preparing and processing a zoning ordinance amendment to provide for emergency shelters and then preparing an LCP amendment application to the Coastal Commission, responding to Coastal Commission staff requests for additional information, and coordinating with them on their review. The amendment will be heard at the November 18 Coastal Commission hearing, likely by consent; staff is recommending approval as submitted.

Task 3: ADU Ordinance

City staff and the Planning Commission drafted an ADU ordinance section by section over several months. Some elements were based on an ADU ordinance for Mendocino County that was just approved by the Coastal Commission. A full draft of Trinidad's ordinance was completed and reviewed by the Planning Commission at their September meeting. The ordinance has been submitted to Coastal Commission staff for review and comment.

Task 4. Objective Design Standards

This task is just getting started. The Planning Commission reviewed initial information gathered by staff at their October meeting.

Local Early Action Program Funder: California Department of Housing & Community Development

Grant Term: 1/4/21 – 8/30/23 Grant Amount: \$65,000

Project Description: This grant provides funding assistance to develop housing element policies and procedures that promote and accelerate housing production to meet the City's Regional Housing Needs Allocation (RHNA). The grant will help the City meet state requirements to streamline approval of affordable housing through development of policies, design standards, plans and incorporating these into the housing and zoning ordinances. Tasks include housing related updates of the zoning ordinance and policies for reasonable accommodation and water use procedures and ordinance.

Status: \$2,902 has been spent to date, approximately 4.5 % of the grant funds. Very little work has occurred on this grant. Most of the work has been administrative. Some research into the proposed zoning amendments has occurred. In addition, the logistics of coordinating and completing the associated LCP amendments was discussed with CCC staff. City staff also attended a webinar and reviewed background material on the CA Model Water Efficient Landscaping Ordinance. Additional work is starting to get underway, and a zoning ordinance amendment is being prepared to implement certain policies of the Housing Element.

Downtown Trinidad Pedestrian & Connectivity Improvements

Funder: Caltrans STIP

Project Term: 10/18/18 – 6/30/22 STIP Grant Amount: \$550,000 City Match: \$30,000

Project Summary: The Downtown Trinidad Pedestrian and Connectivity Improvements Project removes accessibility barriers and extends new safe and accessible pedestrian routes (in accordance with the Americans with Disabilities Act of 1990) along portions of Patrick's Point Drive and Trinity Street. This includes the parking stalls next to the tennis court and new curb ramps.

Status: \$564,584 has been spent to date, approximately 97% of the \$580,000 in total project funds. The \$30,000 City share of project costs will be paid from the City's Gas Tax & other Transportation funding. Construction is mostly completed and is scheduled for completion before the end of the year.

Storm Water Management Improvement Project Phase 2 (ASBS Storm Water Project)

Project Term: 9/1/17 - 6/30/22

Primary Funder: State Water Resources Control Board Prop 84 Storm Water Grant Program

Grant Budget: \$4,833,000

\$128,302 has been spent to date, approximately 2.6% of the budget.

Match Funder: US Department of Agriculture

Grant Match Budget: 537,000

\$305,956 has been spent to date, approximately 5.7% of the budget.

City Match: \$15,000. \$12,747 was spent to date from (FY 2016 to FY 2019) for pre-grant project development.

Project Summary and Background: This is the final phase of the ASBS Storm Water project to eliminate the storm water discharge into the Trinidad Bay (Area of Biological Significance or ASBS) at Launcher Beach by constructing LID improvements along Underwood, Edwards, Ewing, and at the beach parking area.

Project Status: The project construction has been awarded to GR Sundberg, Inc. Construction is scheduled to begin this month. A more detailed project update will be presented in the Discussion Agenda.

Local Roadway Safety Plan

Funder: Caltrans Highway Safety Improvement Program

Project Term: 1/7/21 – 6/30/22 HSIP Grant Amount: \$40,000 City Match: \$4,500

Project Summary and Background: This project will develop a Local Roadway Safety Plan (LRSP) for Trinidad. The Plan development process provides a framework for organizing safety partners and other stakeholders to identify, analyze and prioritize roadway safety improvements on local and rural roads. Beginning in April 2022, a Caltrans compliant LRSP will be required to receive Highway Safety Improvement Program funding.

Project Status: \$35,065 has been spent to date, approximately 79% of the budget. There have been two stakeholder meetings and a survey was conducted. The draft LRSP will be presented for City Council review in December. For additional information, please visit the *Local Road Safety Plan* page on the City of Trinidad website.

New Project: Trinidad Community Coastal Resilience Planning Project

Funder: Ocean Protection Council (OPC) Prop 68 Coastal Resilience Grant

Grant Term: Upon Agreement execution to 6/30/2024 Grant Amount: \$440,000

Project Description: The project will develop the Trinidad Community Coastal Resilience Action Plan for the benefit of its coastal and marine ecosystems, coastal economy, visitors, and local residents. The City of Trinidad will collaborate with Planning Partners, stakeholders and the public to engage in coastal hazards and coastal resilience planning, and concept design of several implementation projects. Collaboration and partnerships for coastal resilience will be a foundation moving forward with this planning project.

Project Status: The funder estimated that the Grant Agreement will be ready for execution this month, so the project will get started in December or January. In October, Eli and Becky were interviewed by Jennifer Savage (OPC Communications Director) and a brief video was produced by OPC about Trinidad's Project for Episode 13 of their Prop 68 Coastal Resilience Mini-series. Visit <https://opc.ca.gov> to see the Blog and video. In a separate Consent Agenda item, Council will consider directing staff to negotiate and execute consultant agreements for the Planning Project.

New Project: Guardrail, Pedestrian Crossing and Edgeline Safety Improvement Project

Funder: Caltrans Highway Safety Improvement Program (HSIP) Set-Aside funding

Grant Term: Upon allocation to 12/1/2023 Grant Budget: \$796,800

Project Description: The project consists of three components (originally separate projects) to construct the following roadway safety improvements.

Crosswalk Enhancements

- Main Street and View Ave - RRFB's (push button flashing signs), new curb ramps on the east side of Main Street.
- Edwards and Hector St – RRFB's for proposed Van Wycke Trail crosswalk.
- Edwards and Galindo – new crosswalk markings, signage and RRFBs.

Guardrail Upgrades

- Scenic Drive south of Langford Road – replace three separate segments of guardrail (total length approximately 634 ft).
- Patrick's Point Drive, just north of City Limits – replace one segment of guardrail (approx. 430 ft) (this guardrail is located in County jurisdiction).

Edgeline Striping

- Trinidad Frontage Road, from N. Westhaven Drive to End – edgeline and centerline striping (within both City and County jurisdiction).
- Stagecoach Road, from City Limits to Main Street – edgeline striping only
- Westhaven Drive, from City Limits to Trinidad Frontage Road – edgeline and centerline striping

Project Status: In July, Council passed a HSIP Funding Resolution and authorized the City Manager to execute a task order with GHD, Inc. to complete the environmental, engineering and construction management services for the Project. Caltrans offered to combine the three projects into one. The project will get started upon approval of the allocation request and finance letter for the combined projects.

Respectfully submitted by Becky Price-Hall, Project & Grant Coordinator



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION ATTACHED

2. Financial Statements – September 2021

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 9/1/2021 Through 9/30/2021

	Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue				
41010	0.00	0.00	100,000.00	100.00)%
41020	0.00	0.00	3,800.00	100.00)%
41040	0.00	0.00	25.00	100.00)%
41050	0.00	0.00	1,300.00	100.00)%
41060	0.00	0.00	200.00	100.00)%
41070	0.00	0.00	500.00	100.00)%
41110	0.00	0.00	1,300.00	100.00)%
41130	0.00	0.00	1,900.00	100.00)%
41140	0.00	0.00	4,500.00	100.00)%
41220	0.00	0.00	28,500.00	100.00)%
42000	18,300.05	55,444.21	280,000.00	(80.20)%
43000	0.00	0.00	140,000.00	100.00)%
46000	0.00	0.00	68,000.00	100.00)%
46100	0.00	0.00	75,000.00	100.00)%
47310	0.00	0.00	300.00	100.00)%
53010	0.00	0.00	50.00	100.00)%
53020	8.95	31.41	25,300.00	(99.88)%
53090	0.00	566.05	9,000.00	(93.71)%
54020	0.00	1,550.00	15,000.00	(89.67)%
54050	0.00	2,678.44	10,000.00	(73.22)%
54100	0.00	30.00	300.00	(90.00)%
54150	0.00	150.00	9,000.00	(98.33)%
54170	0.00	0.00	9,600.00	100.00)%
54300	0.00	150.00	400.00	(62.50)%
56400	0.00	9,000.00	27,000.00	(66.67)%
56500	0.00	0.00	5,125.00	100.00)%
56550	0.00	0.00	9,500.00	100.00)%
56650	0.00	1,648.94	6,500.00	(74.63)%
56700	0.00	1,690.00	2,500.00	(32.40)%
Total Revenue	18,309.00	72,939.05	834,600.00	(91.26)%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 9/1/2021 Through 9/30/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	250.00	750.00	3,000.00	75.00%
61000	EMPLOYEE GROSS WAGE	8,347.59	26,198.57	142,112.00	81.56%
61470	FRINGE BENEFITS	369.24	1,107.72	3,120.00	64.50%
65100	DEFERRED RETIREMENT	1,007.60	3,134.34	15,406.00	79.66%
65200	MEDICAL INSURANCE AND EXPENSE	2,268.60	4,407.24	23,607.00	81.33%
65250	Health Savings Program	9.13	402.39	1,050.00	61.68%
65300	WORKMEN'S COMP INSURANCE	0.00	905.11	4,724.00	80.84%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	97.67	750.00	86.98%
65600	PAYROLL TAX	725.82	2,283.02	12,050.00	81.05%
65800	Grant Payroll Allocation	(1,202.87)	(2,079.33)	(8,000.00)	74.01%
68090	CRIME BOND	0.00	564.20	550.00	(2.58)%
68200	INSURANCE - LIABILITY	0.00	15,007.20	13,600.00	(10.35)%
68300	PROPERTY & CASUALTY	0.00	5,087.40	6,250.00	18.60%
71110	ATTORNEY-ADMINISTRATIVE TASKS	4,405.50	19,061.00	85,000.00	77.58%
71310	CITY PLANNER-ADMIN. TASKS	14,726.97	24,224.02	75,000.00	67.70%
71410	BLDG INSPECTOR-ADMIN TASKS	1,708.98	5,607.90	25,000.00	77.57%
71510	ACCOUNTANT-ADMIN TASKS	184.16	2,308.09	17,000.00	86.42%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	16,000.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	0.00	15,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	88.00	247.00	5,000.00	95.06%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	500.00	2,000.00	75.00%
75170	RENT	750.00	2,250.00	9,000.00	75.00%
75180	UTILITIES	793.45	2,395.30	12,000.00	80.04%
75190	DUES & MEMBERSHIP	0.00	0.00	1,000.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	1,689.75	3,500.00	51.72%
75220	OFFICE SUPPLIES & EXPENSE	948.38	1,868.98	7,500.00	75.08%
75240	BANK CHARGES	0.00	0.00	100.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	200.00	100.00%
75300	CONTRACTED SERVICES	723.10	1,177.75	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	198.53	500.00	60.29%
76110	TELEPHONE	366.37	1,062.86	6,000.00	82.29%
76130	CABLE & INTERNET SERVICE	143.45	520.80	3,000.00	82.64%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78110	Street Safety Improvements	0.00	84.00	0.00	0.00%
78170	SECURITY SYSTEM	0.00	384.03	500.00	23.19%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,500.00	100.00%
	Total Expense	36,613.47	121,445.54	504,519.00	75.93%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 9/1/2021 Through 9/30/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	356.55	1,165.99	6,028.00	80.66%
61470	FRINGE BENEFITS	0.00	0.00	240.00	100.00%
65100	DEFERRED RETIREMENT	38.66	140.20	723.00	80.61%
65200	MEDICAL INSURANCE AND EXPENSE	0.00	(7.10)	604.00	101.18%
65250	Health Savings Program	0.00	0.00	35.00	100.00%
65300	WORKMEN'S COMP INSURANCE	0.00	38.32	200.00	80.84%
65600	PAYROLL TAX	31.65	103.63	516.00	79.92%
75170	RENT	750.00	2,250.00	9,000.00	75.00%
75180	UTILITIES	152.88	477.80	2,500.00	80.89%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	0.00	19,979.44	89,000.00	77.55%
75350	ANIMAL CONTROL	133.00	399.00	1,600.00	75.06%
76110	TELEPHONE	0.00	0.00	600.00	100.00%
76130	CABLE & INTERNET SERVICE	90.45	180.90	0.00	0.00%
78170	SECURITY SYSTEM	0.00	0.00	600.00	100.00%
	Total Expense	<u>1,553.19</u>	<u>24,728.18</u>	<u>112,146.00</u>	<u>77.95%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 9/1/2021 Through 9/30/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
60900	HONORARIUMS	150.00	450.00	2,400.00	81.25%
75180	UTILITIES	73.81	210.30	1,150.00	81.71%
75190	DUES & MEMBERSHIP	0.00	135.62	350.00	61.25%
75280	TRAINING / EDUCATION	0.00	0.00	500.00	100.00%
76110	TELEPHONE	0.00	179.09	1,300.00	86.22%
76140	RADIO & DISPATCH	0.00	0.00	1,800.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	69.98	350.00	80.01%
78150	VEHICLE REPAIRS	0.00	189.07	2,500.00	92.44%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	3,000.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	13.10	5,000.00	99.74%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
	Total Expense	<u>223.81</u>	<u>1,247.16</u>	<u>19,350.00</u>	<u>93.55%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 9/1/2021 Through 9/30/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	6,201.47	17,428.59	103,521.00	83.16%
61250	OVERTIME	0.00	0.00	500.00	100.00%
61470	FRINGE BENEFITS	0.00	0.00	720.00	100.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	100.00	100.00%
65100	DEFERRED RETIREMENT	663.88	1,861.90	9,053.00	79.43%
65200	MEDICAL INSURANCE AND EXPENSE	1,432.40	4,290.10	21,171.00	79.74%
65250	Health Savings Program	12.35	642.05	882.00	27.21%
65300	WORKMEN'S COMP INSURANCE	0.00	659.29	3,441.00	80.84%
65600	PAYROLL TAX	522.25	1,466.39	8,612.00	82.97%
65800	Grant Payroll Allocation	(6,637.16)	(13,006.04)	(65,000.00)	79.99%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	13,000.00	100.00%
75180	UTILITIES	0.00	12.92	0.00	0.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	211.59	3,000.00	92.95%
75300	CONTRACTED SERVICES	0.00	910.00	10,000.00	90.90%
75370	UNIFORMS/PERSONAL EQUIP.	131.06	372.65	1,000.00	62.73%
78100	STREET MAINT/REPAIR/SANITATION	0.00	0.00	5,000.00	100.00%
78120	STREET LIGHTING	369.12	1,046.54	5,000.00	79.07%
78130	TRAIL MAINTENANCE	0.00	0.00	10,000.00	100.00%
78140	VEHICLE FUEL & OIL	328.20	726.05	4,000.00	81.85%
78150	VEHICLE REPAIRS	0.00	1,250.87	2,500.00	49.97%
78160	BUILDING REPAIRS & MAINTENANCE	630.09	1,211.04	14,000.00	91.35%
78190	MATERIALS, SUPPLIES & EQUIPMEN	118.80	406.74	5,000.00	91.87%
78200	EQUIPMENT REPAIRS & MAINTENANC	488.95	641.69	2,500.00	74.33%
	Total Expense	<u>4,261.41</u>	<u>20,132.37</u>	<u>158,000.00</u>	<u>87.26%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
56150	FRANCHISE FEES	0.00	1,919.14	10,000.00	(80.81)%
	Total Revenue	0.00	1,919.14	10,000.00	(80.81)%
	Expense				
61000	EMPLOYEE GROSS WAGE	349.64	985.55	4,545.00	78.32%
65100	DEFERRED RETIREMENT	41.96	118.27	545.00	78.30%
65200	MEDICAL INSURANCE AND EXPENSE	59.07	177.21	765.00	76.84%
65250	Health Savings Program	1.20	63.60	84.00	24.29%
65300	WORKMEN'S COMP INSURANCE	0.00	28.93	151.00	80.84%
65600	PAYROLL TAX	29.70	83.67	389.00	78.49%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,800.00	100.00%
	Total Expense	481.57	1,457.23	8,779.00	83.40%
	Net Income	(481.57)	461.91	1,221.00	(62.17)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
303 - COPS Program
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	155,000.00	(100.00)%
	Total Revenue	0.00	0.00	155,000.00	(100.00)%
	Expense				
75300	CONTRACTED SERVICES	0.00	40,671.25	244,000.00	83.33%
	Total Expense	0.00	40,671.25	244,000.00	83.33%
	Net Income	0.00	(40,671.25)	(89,000.00)	(54.30)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
503 - State Gas Tax
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	15,000.00	(100.00)%
47030	GAS TAX REVENUE (2103)	335.66	1,037.57	0.00	0.00%
47050	GAS TAX REVENUE (2105)	195.58	553.71	0.00	0.00%
47060	GAS TAX REVENUE (2106)	537.60	1,597.17	0.00	0.00%
47070	GAS TAX REVENUE (2107)	157.36	540.66	0.00	0.00%
47075	GAS TAX REVENUE (2107.5)	0.00	1,000.00	0.00	0.00%
	Total Revenue	1,226.20	4,729.11	15,000.00	(68.47)%
	Expense				
60000	INTERDEPARTMENTAL TRANSFER EXP	0.00	0.00	40,000.00	100.00%
	Total Expense	0.00	0.00	40,000.00	100.00%
	Net Income	1,226.20	4,729.11	(25,000.00)	(118.92)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
504 - TDA - Transportation Development Agency
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	12,500.00	(100.00)%
	Total Revenue	0.00	0.00	12,500.00	(100.00)%
	Expense				
60000	INTERDEPARTMENTAL TRANSFER EXP	0.00	0.00	12,000.00	100.00%
75250	TRANSIT SERVICES- HTA	0.00	5,029.48	0.00	0.00%
	Total Expense	0.00	5,029.48	12,000.00	58.09%
	Net Income	0.00	(5,029.48)	500.00	(1,105.90)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
530 - DOT Local Road Safety Plan Grant
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Expense				
65800	Grant Payroll Allocation	562.19	679.06	0.00	0.00%
75300	CONTRACTED SERVICES	10,934.25	10,934.25	0.00	0.00%
	Total Expense	11,496.44	11,613.31	0.00	0.00%
	Net Income	(11,496.44)	(11,613.31)	0.00	0.00%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	12,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	0.00	1,000.00	(100.00)%
57100	WATER SALES	28,872.13	84,416.56	315,000.00	(73.20)%
57200	Water Sales - Wholesale	0.00	0.00	8,000.00	(100.00)%
57500	WATER A/R PENALTIES	922.23	2,920.87	6,000.00	(51.32)%
	Total Revenue	29,794.36	87,337.43	342,000.00	(74.46)%
Expense					
61000	EMPLOYEE GROSS WAGE	9,666.61	28,357.06	136,521.00	79.23%
61470	FRINGE BENEFITS	0.00	0.00	720.00	100.00%
65100	DEFERRED RETIREMENT	997.91	2,952.21	13,537.00	78.19%
65200	MEDICAL INSURANCE AND EXPENSE	2,744.30	8,211.59	37,094.00	77.86%
65250	Health Savings Program	20.70	947.10	1,344.00	29.53%
65300	WORKMEN'S COMP INSURANCE	0.00	869.47	4,538.00	80.84%
65600	PAYROLL TAX	815.07	2,391.30	11,479.00	79.17%
68090	CRIME BOND	0.00	303.80	300.00	(1.27)%
68200	INSURANCE - LIABILITY	0.00	8,080.80	7,325.00	(10.32)%
68300	PROPERTY & CASUALTY	0.00	2,739.43	3,350.00	18.23%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	1,658.50	1,658.50	2,500.00	33.66%
71230	ENGINEER-SPECIAL PROJECTS	0.00	0.00	25,000.00	100.00%
71310	CITY PLANNER-ADMIN. TASKS	688.75	1,591.25	10,000.00	84.09%
71510	ACCOUNTANT-ADMIN TASKS	99.14	1,242.81	9,000.00	86.19%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	7,000.00	100.00%
72100	BAD DEBTS	0.00	0.00	100.00	100.00%
75180	UTILITIES	1,288.82	4,009.81	14,000.00	71.36%
75190	DUES & MEMBERSHIP	0.00	545.00	700.00	22.14%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	200.00	100.00%
75220	OFFICE SUPPLIES & EXPENSE	252.00	713.35	5,000.00	85.73%
75240	BANK CHARGES	0.00	20.00	100.00	80.00%
75280	TRAINING / EDUCATION	0.00	0.00	750.00	100.00%
75300	CONTRACTED SERVICES	0.00	12,211.79	19,000.00	35.73%
75990	MISCELLANEOUS EXPENSE	0.00	80.10	0.00	0.00%
76110	TELEPHONE	54.24	403.45	1,800.00	77.59%
76130	CABLE & INTERNET SERVICE	61.95	185.85	750.00	75.22%
76160	LICENSES & FEES	0.00	0.00	3,600.00	100.00%
78120	STREET LIGHTING	0.00	24.16	0.00	0.00%
78140	VEHICLE FUEL & OIL	99.36	556.05	1,500.00	62.93%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	4,250.00	100.00%
78170	SECURITY SYSTEM	25.00	104.50	500.00	79.10%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	5,000.00	100.00%
78200	EQUIPMENT REPAIRS & MAINTENANC	3,122.60	3,568.22	7,500.00	52.42%
79100	WATER LAB FEES	520.00	2,000.00	6,000.00	66.67%
79120	WATER PLANT CHEMICALS	0.00	1,956.57	7,500.00	73.91%
79130	WATER LINE HOOK-UPS	0.00	5,840.82	0.00	0.00%
79150	WATER LINE REPAIR	497.87	1,155.68	25,000.00	95.38%
79160	WATER PLANT REPAIR	0.00	0.00	3,000.00	100.00%
	Total Expense	22,612.82	92,720.67	378,958.00	75.53%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 9/1/2021 Through 9/30/2021

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Net Income	<u>7,181.54</u>	<u>(5,383.24)</u>	<u>(36,958.00)</u>	<u>(85.43)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 9/1/2021 Through 9/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0.00	0.00	250.00	(100.00)%
58100	CEMETERY PLOT SALES	0.00	7,115.00	12,000.00	(40.71)%
	Total Revenue	0.00	7,115.00	12,250.00	(41.92)%
	Expense				
61000	EMPLOYEE GROSS WAGE	537.31	1,538.28	6,884.00	77.65%
65100	DEFERRED RETIREMENT	64.47	184.59	826.00	77.65%
65200	MEDICAL INSURANCE AND EXPENSE	124.83	374.49	1,598.00	76.57%
65250	Health Savings Program	1.62	79.86	105.00	23.94%
65300	WORKMEN'S COMP INSURANCE	0.00	43.88	229.00	80.84%
65600	PAYROLL TAX	45.67	130.70	590.00	77.85%
75180	UTILITIES	45.23	135.69	493.00	72.48%
75300	CONTRACTED SERVICES	0.00	0.00	3,000.00	100.00%
78170	SECURITY SYSTEM	0.00	106.50	450.00	76.33%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	819.13	2,593.99	14,675.00	82.32%
	Net Income	(819.13)	4,521.01	(2,425.00)	(286.43)%



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION ATTACHED

3. Law Enforcement Report – October 2021

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 1

Incident Search Results**City is trinidad or trin, Date Between 10/11/2021 and 10/24/2021**

10/25/2021

Date	Inc #	Type	Time	Location	Dispositio
10/11/2021	2110110002	594	00:23:59	1 BAKER RANCH RD	Cad Documentation Only
10/11/2021	2110110038	RO	09:14:47	839 STAGECOACH RD	No Report
10/11/2021	2110110048	ANIMAL	10:43:41	130 LANFORD RD	Cad Documentation Only
10/11/2021	2110110114	PC	16:10:07	753 HIGHLAND AVE	Unable to Locate
10/11/2021	2110110166	WELF	21:58:01	27 SCENIC DR	No Report
10/12/2021	2110120011	XFER	03:27:06	US HWY 101 OFF RAMP	Xfer to Medical
10/12/2021	2110120064	REPO	11:12:24	MAIN ST/PATRICKS POINT D	Cad Documentation Only
10/12/2021	2110120065	33X	11:13:11	486 N WESTHAVEN DR	Quiet on Arrival or Departur
10/12/2021	2110120160	CWS	19:15:19	112 TRINIMA RD	Report Taken
10/12/2021	2110120163	NPROB	19:18:25	770 8TH AVE	Admonished
10/12/2021	2110120164	594	19:19:02	SCENIC DR	Online Report
10/12/2021	2110120174	XFER	20:05:43	US HWY 101/SCENIC DR	Xfer to CHP
10/12/2021	2110120175	TH	20:12:02	US HWY 101/SCENIC DR	Agency Assist
10/13/2021	2110130110	911C	14:52:18	1800 PATRICKS POINT DR	Accidental Dial
10/13/2021	2110130140	FU	18:37:10	112 TRINIMA RD	Supplemental Taken
10/13/2021	2110130141	ASSISTA	18:44:51	300 TRINITY ST	Cancel Per Rp
10/13/2021	2110130148	911C	19:03:03	130 LANGFORD RD	Negative Contact Made
10/13/2021	2110130152	RO	19:36:18	264 N WESTHAVEN DR	Not as Reported
10/14/2021	2110140022	911M	07:59:54	600 PATRICKS POINT DR	Accidental Dial
10/14/2021	2110140087	33X	12:17:31	185 BAKER RANCH RD	Billable Alarm
10/14/2021	2110140119	VEHI	14:48:25	FRONTAGE RD	Cad Documentation Only
10/14/2021	2110140120	459V	14:49:51	1720 SCENIC DR	Online Report
10/14/2021	2110140123	INV	14:54:53	171 BAKER RANCH RD	Cad Documentation Only
10/14/2021	2110140170	RO	19:29:57	264 N WESTHAVEN DR	Cad Documentation Only
10/15/2021	2110150015	TRF	02:15:41	HIGHWAY 101 OFF RAMP/WES	Warned
10/15/2021	2110150022	33X	04:34:24	201 MAIN ST	Cancel Per Rp
10/15/2021	2110150036	VEHI	07:09:11	N/A - LUFFENHOLTZ	Report Taken
10/15/2021	2110150039	33X	07:35:32	185 BAKER RANCH RD	Cancel Per Rp
10/15/2021	2110150041	10851O	07:42:49	SCENIC DR/BAKER RANCH RD	Arrest Made
10/15/2021	2110150047	488	08:11:21	728 N WESTHAVEN DR	Cad Documentation Only
10/15/2021	2110150048	INV	08:12:42	3415 PATRICKS POINT DR	Cad Documentation Only
10/15/2021	2110150149	911C	17:11:08	27 SCENIC DR	Accidental Dial
10/15/2021	2110150162	PC	18:31:51	131 MA-WE MORE VIEW LN	Quiet on Arrival or Departur
10/15/2021	2110150191	ASSISTP	21:03:37	131 MA-WE MORE VIEW LN	Public Assist
10/15/2021	2110150208	ASSISTA	23:10:04	110100 US HWY 101	Agency Assist
10/16/2021	2110160023	VEHI	06:40:05	999 SCENIC DR	Field Interview
10/16/2021	2110160027	DISABLE	07:02:06	STAGECOACH RD/ANDERSON	No Report
10/16/2021	2110160035	ANIMAL	08:10:35	TRINIDAD HEAD	Gone On Arrival
10/16/2021	2110160066	ASSISTP	11:29:09	480 PATRICKS POINT DR	Pending Recontact From Rp
10/16/2021	2110160135	UNW	20:15:20	27 SCENIC DR	Public Assist
10/16/2021	2110160145	ANIMAL	21:14:44	27 SCENIC DR	Cad Documentation Only
10/17/2021	2110170031	PC	06:41:00	389 MAIN ST	Cad Documentation Only
10/17/2021	2110170032	VEHI	07:04:01	999 SCENIC DR	Warned
10/17/2021	2110170108	DISP	17:05:56	HIGHWAY 101 OFF RAMP/PAT	Cad Documentation Only

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

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Incident Search Results**City is trinidad or trin, Date Between 10/11/2021 and 10/24/2021**

10/25/2021

Date	Inc #	Type	Time	Location	Dispositio
10/18/2021	2110180013	SUSPV	04:17:21	27 SCENIC DR	Cad Documentation Only
10/18/2021	2110180039	459R	10:00:11	1325 FOX FARM RD	Report Taken
10/18/2021	2110180046	CIVIL	10:37:15	839 STAGECOACH RD	Civil Problem
10/18/2021	2110180092	INFO	13:01:24	265 PARKER CREEK DR	Cad Documentation Only
10/18/2021	2110180127	488	15:32:26	660 PATRICKS POINT DR	Pending Recontact From Rp
10/18/2021	2110180183	911M	22:15:47	840 STAGECOACH RD	Accidental Dial
10/19/2021	2110190039	WELF	09:20:24	877 9TH AVE	Cad Documentation Only
10/19/2021	2110190072	487	11:51:11	27 SCENIC DR	No Report
10/19/2021	2110190105	WELF	13:37:34	101 WESTGATE DR	Cancel Per Rp
10/19/2021	2110190144	CWS	16:28:37	3633 PATRICKS POINT DR	Report Taken
10/19/2021	2110190173	XFER	20:12:21	3602 PATRICKS POINT DR	Xfer to Fire
10/19/2021	2110190175	XFER	20:36:01	73 ANDERSON LN	Xfer to CHP
10/19/2021	2110190176	XFER	20:41:18	333 QUARRY RD	Xfer to Fire
10/19/2021	2110190178	XFER	20:41:54	STAGECOACH RD	Xfer to Fire
10/19/2021	2110190197	33X	23:26:57	1658 PATRICKS POINT DR	Billable Alarm
10/20/2021	2110200001	HAILED	00:16:27	SCENIC DR/KIDDER RD	Public Assist
10/20/2021	2110200003	PC	00:25:18	MOONSTONE BEACH RD	Advised to Move Along
10/20/2021	2110200051	XFER	10:23:34	US HWY 101/BIG LAGOON PA	Xfer to CHP
10/20/2021	2110200053	XFER	10:25:17	US HWY 101/BIG LAGOON PA	Xfer to CHP
10/20/2021	2110200129	XFER	16:20:41	51 MIDWAY DR	Xfer to Medical
10/20/2021	2110200141	XFER	17:28:39	HIGHWAY 101 OFF RAMP/PAT	Xfer to CHP
10/20/2021	2110200154	WELF	18:48:13	101 WESTGATE DR	Negative Contact Made
10/21/2021	2110210023	VEHI	06:45:04	389 MAIN ST	Field Interview
10/21/2021	2110210055	488	10:32:34	357 MAIN ST	Negative Contact Made
10/21/2021	2110210084	XFER	12:15:37	US HWY 101 OFF RAMP/PATR	Xfer to CHP
10/21/2021	2110210176	415MW	20:59:20	27 SCENIC DR	Report Taken
10/21/2021	2110210181	DISABLE	21:50:24	100000 US HWY 101	Cad Documentation Only
10/22/2021	2110220013	XFER	04:24:18	306 VIEW AVE	Xfer to Medical
10/22/2021	2110220016	BOLO	06:14:38	US HWY 101/TRINIDAD EXIT	Briefing Information
10/22/2021	2110220025	VEHI	08:02:18	1 BAKER RANCH RD	Field Interview
10/22/2021	2110220079	33X	11:04:07	1237 SCENIC DR	Billable Alarm
10/22/2021	2110220108	WELF	14:23:26	PATRICKS POINT DR	Public Assist
10/22/2021	2110220134	VEHI	15:57:24	FRONTAGE RD	Unoccupied
10/22/2021	2110220147	33X	17:23:04	1237 SCENIC DR	Billable Alarm
10/22/2021	2110220155	RO	17:51:40	839 STAGECOACH RD	Report Taken
10/22/2021	2110220156	RO	17:52:12	839 STAGECOACH RD	Merged Cfs
10/22/2021	2110220162	PC	19:33:51	MAIN ST/VIEW AVE	Cad Documentation Only
10/23/2021	2110230018	VEHI	07:01:23	1 BAKER RANCH RD	No Report
10/23/2021	2110230033	TH	09:57:35	US HWY 101	Cad Documentation Only
10/23/2021	2110230037	ANIMAL	10:29:46	165 LOIS LN	Public Assist
10/23/2021	2110230082	459V	15:14:49	FRONTAGE RD/ALDER LN	No Report
10/23/2021	2110230121	XFER	19:54:49	SEAWOOD DR	Xfer to CHP
10/23/2021	2110230141	MP	22:45:52	1 BAY ST	Public Assist
10/24/2021	2110240007	33X	02:39:58	1658 PATRICKS POINT DR	Billable Alarm



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 3

Incident Search Results

City is trinidad or trin, Date Between 10/11/2021 and 10/24/2021

10/25/2021

Date	Inc #	Type	Time	Location	Dispositio
10/24/2021	2110240016	33X	05:27:42	389 MAIN ST	Billable Alarm
10/24/2021	2110240019	XFER	06:32:55	528 HECTOR ST	Xfer to Medical
10/24/2021	2110240026	DISP	07:36:21	3633 PATRICKS POINT DR	Cad Documentation Only
10/24/2021	2110240030	XFER	08:06:19	115336 US HWY 101 ON RAM	Xfer to CHP
10/24/2021	2110240151	XFER	21:42:03	111 ALDER LN	Xfer to Fire



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION ATTACHED

4. Memorandum of Understanding (MOU) between the City of Trinidad and HSU for the Stormwater Project.

CONSENT AGENDA ITEM

Date: November 9, 2021

Item: MEMORANDUM OF UNDERSTANDING BETWEEN CITY AND HUMBOLDT STATE UNIVERSITY FOR STORMWATER PROJECT CONSTRUCTION

The City of Trinidad is constructing improvements to the stormwater system funded by a Proposition 84 Stormwater Grant and USDA Stormwater funding. The purpose of the project is to eliminate two stormwater discharges (City and the Humboldt State University's Marine Lab) into the Trinidad Head Area of Special Biological Significance (ASBS) by constructing treatment and infiltration facilities that will intercept and treat the stormwater without discharging into the bay.

As authorized on May 11, 2021, the City Manager advertised a solicitation for bids on May 30, 2021, including the Marine Lab "Stormwater Separation" as an additive bid item to be paid for by Humboldt State University (HSU). Council also directed staff to work with HSU to negotiate a Stormwater Project MOU for City Council review and approval.

Staff recommends Council review and approve the attached *Memorandum of Understanding Between City of Trinidad and The Trustees of the California State University, on behalf of Humboldt State University for Storm Water Management Improvement Project*.

A Storm Water Project Construction update is presented as a separate agenda item to provide details about the construction schedule, locations of work and project purpose.

Staff Recommendation:

Authorize the City Manager to execute the MOU between the City of Trinidad and Humboldt State University.

Attachments:

- City of Trinidad-HSU MOU for Stormwater Project

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF TRINIDAD
AND
THE TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY, ON BEHALF OF
HUMBOLDT STATE UNIVERSITY
FOR
STORM WATER MANAGEMENT IMPROVEMENT PROJECT**

I. PURPOSE

This Memorandum of Understanding ("MOU") is entered into by the City of Trinidad ("City"), a California municipal corporation, and The Trustees of the California State University, on behalf of Humboldt State University ("HSU"), for the purpose of establishing framework for the City and HSU to coordinate on the construction efforts for a stormwater system upgrade within the City of Trinidad adjacent to real property owned by HSU.

II. TERM

- A. This MOU shall take effect upon execution and shall conclude upon the completion of the construction project as evidenced by issuance of a Notice of Completion by the City.

III. PROJECT BID

- A. The City agrees to incorporate the HSU Construction Plan documents as developed by GHD Inc. entitled "Stormwater Separation Project" dated June 2021 and to be permitted for construction by HSU into the City of Trinidad Storm Water Project construction bid documents first advertised for bid on 05/30/2021 as an additive and separate alternate bid item (referred to herein as the "HSU Bid Alternative").
- B. Upon close of bidding for the project administered by the City, and if the bid alternative amount for the HSU Bid Alternative is within HSU's available budget of Four Hundred Thousand Dollars (\$400,000.00), HSU agrees to fund the full HSU Bid Alternative amount pursuant to the same payment schedule required by the City. The HSU Bid Alternative amount shall be inclusive of all contractor overhead, profit, and general conditions.

IV. PROJECT MANAGEMENT AND DESIGN AND ENGINEERING SERVICES

- A. HSU has, and will continue, to retain GHD Inc. for project design and engineering for the duration of the Stormwater Project as the engineer of record and construction administration.
- B. HSU will retain project management services from GHD Inc. and/or other third party management firm that will be employed by the City as an extension of management to the HSU Bid Alternative from the City for the Stormwater Project. HSU will be responsible for traditional construction administration issues including but not limited to submittals,

request for information and inspections, responding to any contractor requests for information and processing any change order requests and/or other construction related inquiries pertaining to the scope of work inclusive in the HSU Bid Alternative.

- C. HSU will work with the City's project management team in processing any change order work as a function of the City's prime contract for the Stormwater Project. HSU agrees that it shall be solely responsible to fund and pay for any and all additional work related to the scope of work related to the HSU Bid Alternative, including any cost overruns in excess of the amounts recited in Section III.B. of this MOU, above.

V. FUNDING

- A. HSU will directly fund the City for the following:

- (1) All Bid Alternative Work as bid on 05/30/2021 in the amount of \$190,600; and
- (2) Any change orders related to scope of the work related to the HSU Bid Alternative in the amount agreed to between the City and HSU.
- (3) Invoices shall be submitted, in arrears, to HSU. Unless otherwise specified, HSU shall pay submitted invoices not more than 45 days after issuance. Invoices shall be submitted, in arrears, to the address stipulated in the Contract. The Contract number must be included on the invoice. The final invoice shall be marked as such. HSU shall pay properly submitted invoices not more than 45 days after issuance.

VI. INDEMNIFICATION

- A. HSU shall indemnify, defend and hold harmless, the City of Trinidad and its officers, officials, representatives, contractors, agents, employees and volunteers from and against all claims, damages, losses, expenses, suits, demands, or liability of any kind, nature and description, including but not limited to claims and fines of regulatory agencies and attorney's fees and consultant's fees (collectively "Liabilities"), directly or indirectly arising out of, connected with or resulting from the performance or nonperformance of the obligations assigned to HSU in this MOU expressly including, without limitation, all Liabilities arising out of or related to performance of the work inclusive in the HSU Bid Alternative in whole or in part, except to the extent caused by the sole negligence, gross negligence or intentional misconduct of the City of Trinidad or its officers, officials, representatives, contractors, agents, employees and volunteers. The indemnity obligations set forth in this MOU shall survive the expiration of the Term of this MOU and completion of the Stormwater Project.

We, the undersigned, as authorized representatives of the City of Trinidad and HSU, do hereby approve this MOU.

CITY OF TRINIDAD

THE TRUSTEES OF THE CALIFORNIA
STATE UNIVERSITY, ON BEHALF OF
HUMBOLDT STATE UNIVERSITY

3

Purchase Order



Humboldt State University
Arcata, CA 95521-8299

Supplier: 0000000449

CITY OF TRINIDAD
PO BOX 390
TRINIDAD CA 95570

Purchase Order 0001126806	BU HMCMP	Date 11/04/2021	Revision	Page 1
Payment Terms Net 30	Freight Terms Not Applicable	Ship Via NA		

Ship To: Not Applicable

Bill To: Humboldt State University, Accounts Payable
Email: humboldt.invoices@edmgroupp.com
1 Harpst St
Arcata CA 95521-8299
707/826-3512

Line-Sch	Quantity	UOM	Description	Unit Price	Extended Amt	Due Date
1 - 1	1.00	EA	Construction efforts for a stormwater system upgrade within the City of Trinidad adjacent to real property owned by HSU. All bid alternative work as bid on 5/30/2021 by GR Sundberg and per MOU signed 11/04/2021	190,600.00	190,600.00	01/31/2022

HM702 D30037 607031 XPL247 = \$124,000
HM700 D30037 607031 XPL247 = \$66,600

Humboldt State Contact:
Michael Fisher, Facilities Management
707-826-4444
ndf15@humboldt.edu

Subtotal 190,600.00	Sales Tax 0.00	Misc. Charge/Discount 0.00	Freight 0.00	Total 190,600.00
-------------------------------	--------------------------	--------------------------------------	------------------------	----------------------------

Internal Use Only GHD Agmt 1126341CN


SHIPPING & RECEIVING (M-F 8a-12p & 1p-4:30p)
1 Harpst Street, Arcata CA 95521
Phone: (707)826-3932

PLEASE REFERENCE ONLY THE LAST SEVEN DIGITS OF THE PURCHASE ORDER NUMBER ON THE INVOICE & PACKING SLIP.

PROVISIONS: Please visit the General Provisions page on our website for all applicable terms and conditions:
<http://www.humboldt.edu/procurement>
A hard copy will be made available upon request.

CERTIFICATION AND APPROVAL OF PURCHASE ORDER

I hereby certify on my own knowledge that this order for the purchase of the items specified is issued in accordance with the procedure prescribed by law governing such items for the Trustees of the CSU and that all such legal requirements have been met.


By: [Tawny Fleming \(Nov 4, 2021 14:12 PDT\)](#)
Dunaway, Addie E Buyer
Tel: 707/826-3304
Fax: 707/826-3312 email: aes151@humboldt.edu

Trinidad Stormwater Improvement Project 2021
Bid Results received June 18, 2021

Contractor	Base Bid	Additive Bid	Total
Wahlund	\$ 3,369,750.00	\$ 274,162.30	\$ 3,643,912.30
Mercer Fraser	\$ 2,462,500.00	\$ 192,000.00	\$ 2,654,500.00
GR Sundberg	\$ 2,105,800.00	\$ 190,600.00	\$ 2,296,400.00

Low Bid



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION ATTACHED

5. Ocean Protection Council (OPC) Coastal Resiliency Planning Project Update.

CONSENT AGENDA ITEM

Date: November 9, 2021

SUBJECT: COMMUNITY COASTAL RESILIENCE PLANNING PROJECT

The Trinidad Community Coastal Resilience Planning Project (Project) will get started as soon as the Ocean Protection Council (OPC) Grant Agreement for Proposition 68 funding is executed. Their staff estimate that the Grant Agreement will be sent to the City for execution in mid-late November.

On February 16, the Ocean Protection Council awarded \$440,000 in Proposition 68 Coastal Resilience Grant Program funding to the City of Trinidad to collaborate with planning partners, stakeholders and the public to engage in coastal hazards and coastal resilience planning. Concept designs for two or three prioritized implementation projects will be developed.

The City's grant application included a budget and tasks to be completed by SHN, the contract City Planner and GHD the contract City Engineer, so consultant service agreements will be needed for completion of these project tasks. The Consultant costs incurred for the project will be paid for by the grant.

On June 8, the City Council authorized City Manager to execute a consultant agreement with Greenway Partners, Inc. for task 2 planning and public engagement services not to exceed \$56,750. Due to unforeseen staffing changes, and by mutual agreement, the City has terminated the agreement with Greenway Partners, Inc. as of November 8, 2021. The termination is in the best interests of the parties and of the project. Eli and Becky appreciate the assistance provided by Greenway Partners during the pre-grant stage of the project.

OPC has developed a Prop 68 Coastal Resilience Mini-series. See *Episode 13: Trinidad Community Coastal Resilience Planning Project* at <https://opc.ca.gov>.

Staff recommends Council authorize the City Manager to negotiate and execute consultant agreements with SHN and GHD not to exceed the available grant budget for the project tasks 2, 3 and 4.

Project Tasks and Budget

Task #	Community Coastal Resilience Planning Task	Consultant Budget	Total Grant Budget
1	Grant Administration and Project Management – City Staff		\$23,000
2	Public Engagement & Partnerships for coastal resilience planning	\$56,750	\$87,000
3	Integrated Coastal Resilience Action Plan	\$210,000	\$210,000
4	Develop Concept Designs and Implementation Measures	<u>\$120,000</u>	<u>\$120,000</u>
	Total Prop 68 grant funding to be requested		\$440,000

Staff Recommendation:

Direct staff to negotiate scopes of services and budget with SHN and GHD for the Trinidad Community Coastal Resilience Planning Project.

Attachments: None



CONSENT AGENDA ITEM 6

SUPPORTING DOCUMENTATION ATTACHED

6. General Plan Update Status.

CONSENT AGENDA ITEM REPORT

November 9, 2021

Item: General Plan Update Status Report

Work on the general plan has proceeded this year in between work on other priority tasks. Staff's primary focus this year has been to complete the SB2 grant tasks, including the parking study and the ADU ordinance, both of which are large tasks. A six-month extension was recently granted by the State, which is very helpful. But there are also LEAP grant tasks that now need to be completed. The other primary focus this year has been to process the above average number of permit applications that have been submitted this year. Other significant tasks included drafting the water shortage ordinance and updating the STR ordinance. So, staff have not been idle.

Land Use Element

The initial round of CCC staff comments in the document have been responded to, and the document was updated based on the water policy discussions of the Planning Commission. It was resubmitted to CCC staff in July 2020, but I have not received any comments back. They may be waiting for figures and/or other elements, or possibly it has gotten overlooked. Like many others, they are dealing with staffing issues.

Conservation, Open Space, and Recreation

CCC staff had substantial comments on this document, to the point that it got so messy with the edits in "track changes" that I had to "accept" all my changes and continue editing in a clean version. So, I have two different versions responding to the various comments, questions and suggestions from CCC staff. The PC reviewed this element, including most of the responses to comments in late 2020 and early 2021, and the PC comments have also been incorporated into the revised document. The PC has expressed a desire for the Council to see the CCC comments and City staff responses in order to understand the amount of work that was involved. Once a new set of elements is ready to be submitted to CCC staff, I will also provide them to the Council.

Circulation

In addition to road and traffic issues, this element also addresses energy, utilities and public services. CCC staff comments on this element were less onerous than the Conservation Element, but still substantial. Their comments have been responded to, and the element was reviewed by the PC earlier this year. I still need to finish incorporating the PC comments. I have left placeholders to include the results of the parking study when that is available. I also incorporated some policies from the first draft of the Regional Climate Action Plan (CAP) that Humboldt County and RCEA are preparing in partnership with all the municipalities. A new admin draft was just released, and a public review draft should follow soon, which will likely lead to some additional updates to the Circulation Element.

Housing

The Housing Element was updated in 2019 and adopted in 2020. It has been provisionally approved by the Dept. of Housing and Community Development (HCD). The Housing Element is usually not of much interest to the CCC and may not be part of the Local Coastal Program. CCC staff will need to review the document to determine if any policies need to be part of the LCP. Like most State agencies, the CCC is starting to take more of an interest in housing policies.

Noise and Public Safety

This combined element rounds out the seven elements required by State general plan law. This element has not been reviewed by CCC staff nor updated recently. The noise portion is a short and simple element that is of little interest to the CCC and may not need to be part of the LCP. I will bring noise portion to the PC in the next few months. However, I have been waiting on the OPC coastal hazards planning grant before further updating the safety element. That portion will be of substantial interest to CCC staff. I did get comments from them on a draft “Edwards and Van Wycke Sea Level Rise and Landslide Risk Assessment and Management Plan” that was prepared in 2019, which was intended to inform the safety element update. Both the risk assessment and safety element will be updated as part of the OPC grant.

Community Design

This optional element is currently being reviewed by the PC. In particular, we are looking at ways to make the design review process more objective. This element dovetails with one of the SB2 grant tasks to develop objective design standards and/or a streamlined permitting process for residential projects. We are currently considering both of these issues, though the SB2 task is more geared towards a zoning ordinance update.

Cultural and Historic Resources

No work has occurred recently on this element. City staff needs to figure out a way to work with the TAS and staff from the Yurok Tribe and Trinidad Rancheria to finish drafting and refining this element. This would occur prior to formal Tribal Consultation on the entire general plan.

Figures

Significant work has been done and still needs to be done on the general plan figures. Some of the current work is based on CCC comments. But time has also been spent to create an accurate representation of City limits, including identifying the high tide line with lidar for the shoreline boundary (the parcel lines that were previously used as the boundary only go to the US Meander Line, which is well above the high tide line). In addition, staff used surveys and property descriptions to correct many of the parcel lines and the portion of Trinidad Bay that is within City limits. Work is also being done to map the bluff edges of town using lidar data, because much of the area appealable to the Coastal Commission as well as Coastal Act exemptions and setbacks are based on

that boundary. All of the figures currently need updating. The Trinidad GIS database requires specialized staff with many other demands on his time, so the work takes time.

Coastal Commission Comments

In addition to the CCC staff comments that were provided directly within the elements, several comment letters were also written. Staff have also prepared responses to these. Once the figures are done, the updated Land Use, Conservation and Circulation elements can be resubmitted to CCC staff along with the responses to comments.

Attachments

June 2020 status update (3 pages)

Recommended Action:

None required.



MEMORANDUM

TO: Trinidad Planning Commission

FROM: Trever Parker, City Planner

DATE: June 12, 2020

RE: Status of the various draft Trinidad General Plan elements

There was previously a request to include this information as an agenda item so the Commission can discuss next steps and timelines. In terms of my work, I have most recently been working my way through the Coastal Commission comments on the Conservation, Open Space and Recreation Element, and I still need a little more time to complete that. Earlier this year I was also working on the coastal hazards assessment, which will be critical for updating the Public Safety Element. But I have had to put that on hold for the time being.

Introduction

- Most current version: September 2019 (Approved/Recommended by PC)
- Reviewed by CCC staff: Preliminary comments received on August 2018 version; all comments have been incorporated
- Reviewed by PC: Complete
- Action by PC: Approved/Recommended September 2019
- Current Status: Need to add Figure 1 (CCC jurisdictional boundaries) and send to City Council.

Required Elements

Land Use

- Most current version: June 2020 (Approved/Recommended by PC)
- Reviewed by CCC staff: Preliminary comments received on April 2018 version; all comments have been incorporated (CCC did not include in-document comments and revisions, but some specific comments in a letter)
- Reviewed by PC: Complete
- Action by PC: Approved Recommended June 2020
- *Previous Version Approved by PC: September 2009*
- *Previous Version (Sept. 2009) Reviewed by CC: Yes*
- Current Status: Sent to CC for their initial review on July 14, 2020

Conservation and Open Space

- Most current version: April 2018
- Reviewed by CCC staff: Preliminary comments received on April 2018 version; comments are currently being addressed.
- Reviewed by PC: Last reviewed October 2018
- *Previous Version Approved by PC: December 2009*
- *Previous Version (Dec. 2009) Reviewed by CC: Yes*
- Current Status: Needs to be updated based on PC's October 2018 comments and CCC comments; will come back to PC within the next couple of months (pending other tasks (e.g. WSCP and Trail Policies) and permit applications)

Circulation (includes Energy)

- Most current version: October 2018
- Reviewed by CCC staff: Preliminary comments received on October 2018 version; comments are fairly general and likely incomplete.
- Reviewed by PC: Yes, October - January 2019 (except for section I.5 – Water Service).
- *Previous Version Approved by PC: July 2012*
- *Previous Version (July 2012) Reviewed by CC: Yes*
- Current Status: Needs to be updated based on PC's October - January 2019 comments, CCC comments, and the recent water reports and policy discussions

Noise and Safety

- Most current version: December 2012
- Reviewed by PC: Not recently
- Reviewed by CCC staff: No
- *Previous Version Approved by PC: December 2012*
- *Previous Version (Dec. 2012) Reviewed by CC: Yes*
- Current Status: Staff is currently updating as time allows based on new information, including climate change report (done in 2016 and may need updating based on new information), and coastal hazards assessment (in progress).

Housing

- Most current version: March 2020
- Reviewed by CCC staff: No
- Approved by PC: April 1, 2020
- Approved by CC: April 14, 2020
- Approved (conditionally) by HCD: April 2, 2020
- Current Status: Needs to be submitted CCC staff for review and to determine what of it needs to be certified as part of the LCP.

Optional Elements

Community Design

- Most current version: February 2017
- Reviewed by PC: Last time was in January 2017
- Reviewed by CCC staff: No
- Approved by PC: No
- Reviewed by CC: No
- Current Status: Needs updating and further review.

Cultural & Historic Resources

- Most current version: October 2018
- Reviewed by PC: Not current version
- Reviewed by CCC staff: No
- Approved by PC: No
- Reviewed by CC: No
- Current Status: Ongoing informal consultation with interested tribal entities. Good progress was being made in 2018, particularly with the Rancheria, until other priorities and/or staffing changes sidetracked those efforts.

Suggested Actions

Discuss next steps and timeline. Suggest considering restarting second monthly meetings to discuss the general plan update.

Attachments

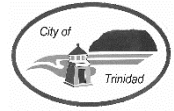
None.



DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION ATTACHED

1. Continued Discussion/Decision regarding Resolution 2021-12; Authorizing Continued Use of Virtual Meetings.



RESOLUTION 2021-12

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF TRINIDAD MAKING FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 54953, AS AMENDED BY ASSEMBLY BILL 361, AND AUTHORIZING THE CONTINUED USE OF VIRTUAL MEETINGS

WHEREAS, as a result of the COVID-19 pandemic, the Governor issued Executive Order Nos. N-08-21, N-25-20 and N-29-20, which suspended certain provisions of the Ralph M. Brown Act to allow legislative bodies to conduct public meetings without strict compliance with the teleconferencing provisions of the Brown Act;

WHEREAS, Assembly Bill 361, which was signed into law on September 17, 2021, amended Government Code section 54953, to provide relief from the teleconferencing provisions of the Brown Act under certain circumstances provided the legislative body makes certain findings;

WHEREAS, as a result of the COVID-19 pandemic, the Governor proclaimed a state of emergency on March 4, 2020, in accordance with the section 8625 of the California Emergency Services Act, and the state of emergency remains in effect;

WHEREAS, as a result of the COVID-19 pandemic, the Humboldt County Health Officer has imposed and has recommended measures to promote social distancing as more particularly set forth in his August 6, 2021, Order, among other prior orders and guidance;

NOW, THEREFORE, the City Council does hereby find and resolve as follows:

1. That the Council has reconsidered the circumstances of the previously declared and existing state of emergency arising from the COVID-19 pandemic;
2. That the state of emergency continues to directly impact the ability of the members of the Council to meet safely in person, and further that local officials continue to impose or recommend measures to promote social distancing;
3. That the Council and its subordinate Committees, Commissions, and Boards may continue to conduct public meetings in accordance with Government Code section 54953(e);
4. That the Council will reconsider the above findings within 30-days of this Resolution.

PASSED AND ADOPTED on the 12th day of October, 2021 by the following vote:

AYES:	Ladwig, West, Clompus, Grover, Davies
NAYS:	None
ABSENT:	None
ABSTAIN:	None

ATTEST:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor



DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION ATTACHED

2. Discussion/Decision regarding Contract Renewal with the Humboldt County Sheriff's Office for Police Services.

AGENDA ITEM

Date: November 9, 2021

Item: Discussion/Decision re: Contract Renewal with the Humboldt County Sheriff's Office for Police Services

Summary:

The law enforcement contract for the City of Trinidad with the Humboldt County Sheriff's Office has expired and a new contract is proposed. The contract provides for 24/7 coverage by Deputy Sheriffs. The Sheriff's Office will provide random patrols throughout the day and evenings. The term of the agreement is through June 30, 2024. Captain Bryan Quenell of the Sheriff's Office will be available during the meeting.

Suggested Motion:

Approve the Agreement to provide Law Enforcement Services within the City of Trinidad dated November 1, 2021 through June 30, 2024.

Attachment:

City of Trinidad Contract: Agreement to Provide Law Enforcement Services Within The City of Trinidad

City of Trinidad Contract

Agreement to Provide Law Enforcement Services Within The City of Trinidad

THIS AGREEMENT is made and entered into this 1st day of November 2021 by and between the County of Humboldt, a political subdivision of the State of California (hereinafter called "COUNTY"), and the City of Trinidad, a municipal corporation in the County of Humboldt (hereinafter called "CITY").

Term of Agreement

- I. Basic Term. The term of this AGREEMENT shall commence November 1, 2021 and continue through June 30, 2024, a thirty-six (36) month term, expiring June 30, 2024, unless sooner terminated pursuant to Section 18.
2. Extended Term. The term of this AGREEMENT may be extended for successive periods of one (1) year if the legislative bodies of both parties determine to so extend the term and written notice of such renewal is given to the other party at least three (3) months prior to expiration. The extended terms shall be referred to as first Extended Term, Second Extended Term, etc.

WITNESSETH:

WHEREAS, pursuant to the authority provided in the Government Code, CITY and COUNTY desire to contract in order that COUNTY, through Sheriff, will perform law enforcement services within the CITY.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

- I. The basic level of services to be provided shall consist of 24 hours of coverage from a sworn peace officer (830.1 PC), seven (7) days a week for response to calls at a level not less than that provided by the Sheriff in adjacent areas of the COUNTY, including related back-up and auxiliary services such as investigative, community services, criminalistics, supervisorial, and traffic service functions. This also includes services and support from the Sheriff's records bureau, Sheriff's property/evidence bureau, and public safety dispatch services.

Personnel shall be supported by an appropriate number of Sheriff's supervisory and management personnel, as deemed necessary by the COUNTY. This service will include regular, random patrol, as available, of the City of Trinidad during all hours of service. It will also include providing the citizens of Trinidad access to report and or file a police report or anonymous complaint online, and access

to crime mapping.

2. The law enforcement services to be provided by the COUNTY to the CITY within the CITY 's incorporated area shall include:
 - A. Enforcement of State Statutes;
 - B. Enforcement of ordinances of CITY (excluding animal control, building and construction);
 - C. Police protection of the type provided by the Sheriff;
 - D. Traffic and DUI enforcement, with the exception or such traffic enforcement as may be provided by the California Highway Patrol on any freeway traversing the CITY or as required by statute;
 - E. All detective, juvenile and other specialized services provided by the Sheriff in the unincorporated areas of the COUNTY, such as homicide, child abuse investigations and narcotics enforcement;
 - F. Abandon Vehicle Abatement
 - G. When requested by the CITY, via the City Manager, a representative of the Sheriff's Office at the rank of Lieutenant or higher shall meet quarterly with the public, either in a special meeting or at a council meeting to discuss CITY policing issues;
 - H. All other law enforcement services of the type provided by the Sheriff within the unincorporated areas of the COUNTY;

The Sheriff shall not be required to assume any enforcement duty or function inconsistent with those performed by the Sheriff under the ordinances of the COUNTY and the statutes of the State of California.

3. The Sheriff shall give prompt consideration to all requests of the City Manager regarding the delivery of general law enforcement services, including staffing assignments, and make every reasonable effort to comply with requests consistent with good law enforcement practices and other provisions of this AGREEMENT. To facilitate the timely exchange of such information between the CITY and the COUNTY, the Parties hereto shall meet from time to time to discuss performance issues under this AGREEMENT and the attendees shall include the City Manager, the Operations Division Commander, the McKinleyville Station Lieutenant, and a designated city council member.
4. For the purposes of performing services and functions pursuant to this AGREEMENT, and only to give official status to such performance, every COUNTY Deputy or employee shall be deemed to be an ex-officio officer of the CITY while engaged in performing any such service or function which is a municipal function falling within the scope of this AGREEMENT.
5. The CITY shall have the right to discuss with the COUNTY issues of concern related to matters covered under this AGREEMENT. However, the manner or rendition of services, the standard of performance, the discipline of employees and other matters incident to the performance of services, including control of personnel so employed, shall remain under the exclusive control of the Sheriff. The Sheriff shall, however, give consideration to requests of the City Manager, which may relate to the performance of services under this AGREEMENT. In the

event of a dispute between the parties as to the duties and functions to be rendered or the manner of their performance, determinations by the Sheriff shall be final and conclusive as between the parties.

6. An inventory of furnishings and fixtures contributed by the CITY and the COUNTY for purposes of supplying the station shall be maintained throughout this AGREEMENT. The initial inventory is attached hereto and incorporated herein as Exhibit "A" and shall be updated from time to time by the parties hereto. Each party will continue to bear their own costs of such items and upon termination of this AGREEMENT, said items of like kind shall be returned to the respective agency that had original ownership.
7. COUNTY shall provide the necessary supplies, equipment services and materials required for performing its duties under this AGREEMENT, including all safety equipment, information technology hardware/software, vehicle acquisition, maintenance, fuel and replacements.
8. COUNTY and CITY shall determine where such law enforcement quarters are to be located within the CITY. It is expressly understood that the COUNTY may use such quarters in connection with the performance of its duties beyond the scope of services previously outlined in sections 1-4 and in connection with the performance of its duties in territory outside the CITY and adjacent territory, provided, however, that the performance of such non-city duties shall be at no additional cost to the CITY.
9. At the time of execution of this AGREEMENT, the charge to the CITY for the services and functions to be performed by the COUNTY at the level of service agreed upon by the CITY is \$122,876 annually.
The total cost charged to the CITY does not include expenses attributable to services or facilities normally provided to all cities within the COUNTY as part of enforcement duties and functions performed by the Sheriff under the ordinances and regulations of the COUNTY and the statutes of the State of California.
10. The CITY shall render to COUNTY the amount of \$30,719 on a quarterly basis payable on the following dates: first (1st) payment due October 1, second (2nd) payment due January 1, third (3rd) payment due April 1, and fourth (4th) payment due July 1. Any extended term shall follow this quarterly payment schedule. The COUNTY shall, 30 days prior to the payment due date, provide to the CITY an invoice which will reflect the amount due by CITY for services rendered by COUNTY under this AGREEMENT during the previous quarter. If such payment is not received by COUNTY within thirty (30) days of the due date, COUNTY shall be entitled to recover interest at a rate of seven (7%) percent per annum and the COUNTY may terminate this AGREEMENT immediately, and without any further notice take such steps as may be necessary to enforce payment.
11. Re-computation of General Law Enforcement Services. Except as otherwise specified hereinafter, the total amount charged for General Law Enforcement Services, as defined in Section 2, shall be recomputed annually on or before June 1 of each calendar year for the following fiscal year, with the fiscal year

defined as July 1 through June 30. The re-computation calculation shall be determined by the COUNTY based upon estimated additional costs of providing General Law Enforcement Services described in Section 2. The total contract amount for the applicable fiscal year will be effective July 1 of that fiscal year, subject to appeal by CITY. Staff representatives of the COUNTY and CITY are advised to meet during the calculation process and prior to any formal presentation before their respective governing bodies. At the request of either party, cost increases will be formally addressed at any time within the term of this AGREEMENT.

12. The CITY, its officers and employees, shall not assume by this AGREEMENT any liability for the direct payment of any salary, wages, or other compensation to any officer or employee of COUNTY that is performing services hereunder for the CITY, or for any other liability other than that provided for in this AGREEMENT.
13. CITY shall hold harmless, defend and indemnify COUNTY and its agents, officers, officials, employees and volunteers from and against any and all claims, demands, losses, damages, liabilities, expenses and costs of any kind or nature, including, without limitation, attorney fees and other costs of litigation, arising out of, or in connection with, CITY's performance of, or failure to comply with, any of the obligations contained herein, except such loss or damage which was caused by the sole negligence or willful misconduct of COUNTY.

The CITY and its insurer, or self-insured pool, shall provide evidence of general and automobile liability insurance with limits no less than \$2,000,000.00 per occurrence. The CITY shall provide an endorsement from its insurer or self-insured pool naming the County of Humboldt, its officials, employees, and volunteers as additional insured.

14. It is expressly understood between the parties to this AGREEMENT that no employer/employee relationship is intended; the relationship of COUNTY to CITY being that of an independent contractor and CITY and COUNTY retain sole and independent liability for the actions of the employees of each.
15. CITY, through its City Manager, shall have access to non-privileged and non-confidential reports and other documents pertaining to the services provided hereunder and within the scope of the Public Records Act (Government Code Section 6250 et seq.). COUNTY shall transmit monthly, to the City Manager statistical reports on crime occurrence, traffic incidents, and other contract services within the CITY.
16. All work performed hereunder is subject to limitations of Section 23008 of the Government Code or the State of California, and in accordance therewith, before any work is performed or services rendered pursuant hereto, an amount equal to the cost to the CITY must be reserved by the CITY from its funds to ensure payment for work, service, or materials provided by COUNTY hereunder.
17. COMPLIANCE WITH NUCLEAR FREE ORDINANCE: In recognition of the

Humboldt County Nuclear Free Ordinance, the CITY certifies by its signature below that it is not a nuclear weapons contractor, in that CITY is not knowingly or intentionally engaged in the research, development, production or testing of nuclear warheads, nuclear weapons systems or nuclear weapons components as defined by the Nuclear Free Ordinance in Humboldt County. CITY agrees to notify COUNTY via HCSO immediately if it becomes a nuclear weapons provider, as defined above. CITY acknowledges that, per the terms of the Humboldt County Nuclear Free Ordinance, COUNTY via HCSO may immediately terminate this AGREEMENT if it determines that the foregoing certification is false or if CITY becomes a nuclear weapons provider.

18. This AGREEMENT shall take effect on _____, or at such sooner time as the parties may agree in writing, and, unless sooner terminated as provided herein, shall terminate on **June 30, 2024**. Either party may terminate this contract upon sixty (60) days written notice, which notice shall take effect at the end of the sixty (60) day notice period. Compensation shall be prorated for the fiscal quarter in which the termination occurs.
19. Notices given to parties under this AGREEMENT shall be deemed given when personally delivered or sent and delivered by United States certified mail, postage prepaid, return receipt requested and addressed as follows:

TO THE COUNTY

Office of the Sheriff
Humboldt County Sheriff
826 4th Street
Eureka, CA 95501

TO THE CITY

Office of the City Manager
City of Trinidad
PO Box 390
Trinidad, CA 95570

20. No waiver with respect to one covenant, term or condition shall be deemed to constitute a waiver of any other covenant, term, or condition herein, or a waiver of any prior or subsequent failure to perform such covenant, term, or condition.
21. The provisions of this AGREEMENT shall be binding upon and shall inure to the benefit of the parties hereto and their respective governing boards, successors, assigns, and legal representatives.
22. This AGREEMENT contains all agreements of the parties with respect to any matter mentioned herein. No prior agreement or understanding pertaining to any such matter shall be given effect, and this AGREEMENT may only be amended by a writing signed by the parties.
23. The invalidity of any provision of this AGREEMENT as determined by a court of competent jurisdiction shall in no way affect the validity of any other provision hereof.
24. Each person executing this AGREEMENT on behalf of the CITY represents and warrants that he or she is authorized by the CITY to execute and deliver this

AGREEMENT on behalf of the CITY and that this AGREEMENT is binding on the CITY in accordance with its terms and provisions.

25. The parties hereto agree that the provisions of this AGREEMENT will be construed pursuant to the laws of the State of California. To the extent permitted by law, venue for any legal proceeding involving this AGREEMENT shall be in the courts of Humboldt County, California.
26. Time is hereby expressly declared to be of the essence of this AGREEMENT and each and every provision herein.

IN WITNESS THEREOF, CITY by resolution or other official action duly adopted by its council caused this AGREEMENT to be subscribed by its Mayor and attested by its Clerk, and the COUNTY, by order of its Board of Supervisors, has caused this contract to be subscribed by the Chairman and the seal of said Board to be affixed thereto and attested by the Clerk of said Board on the day and year first hereinabove written.

ATTEST:
City Clerk

By: _____

ATTEST:
Clerk of the Board of Supervisors

By: _____

**APPROVED AS TO CONTENT AND
RECOMMENDED**

By: _____
City Manager
City of Trinidad

By: _____
William F. Honsal, Sheriff
County of Humboldt

By: _____
Mayor
City of Trinidad

By: _____
Virginia Bass, Chair
Board of Supervisors
County of Humboldt

APPROVED AS TO FORM

By: _____
City Attorney
City of Trinidad

By: _____
Office of County Counsel
County of Humboldt

By: _____
Risk Manager
County of Humboldt

EXHIBIT "A"

Inventory List of Furnishings Trinidad Police Department

These Items have been provided by the City of Trinidad for use by the Humboldt County Sheriff's Office.

Lockable Office Containing:

- One L shaped mahogany colored, 2-drawer executive desk w/topper
- One Black executive chair on rollers
- One One Dell computer w/monitor, keyboard and mouse
- One APC computer backup system
- One 5-shelf bookcase
- One Cross-cut paper shredder
- One 3-line telephone
- One Trash can
- One 2-ft x 2-ft pedestal table w/two matching wooden chairs
- One Brass desk lamp
- One Set of dark wooden shades
- Miscellaneous office supplies (pens, pencils, stapler, scotch tape dispenser)

Also Available for Use:

- Kitchen containing microwave, sink, refrigerator, coffee maker
- Bathroom w/toilet, sink and shower
- Two large bulletin boards
- One white board/cork board
- Fax machine
- Paper supplies
- Copier
- Printer



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION ATTACHED

3. Presentation regarding Zero Waste Humboldt.

From: [Kyra Skylark](#)
To: sladwig@trinidad.ca.gov
Cc: citymanager@trinidad.ca.gov; cityclerk@trinidad.ca.gov
Subject: Zero Waste Humboldt: Council Presentation Inquiry
Date: Tuesday, October 12, 2021 9:04:51 PM

Dear Mayor Ladwig;

This year is Zero Waste Humboldt's tenth anniversary since introducing Zero Waste to Humboldt County: providing public education, technical assistance, and training services. In 2014, we established countywide Zero Waste Day on November 15.

We are scheduling brief presentations with city councils and the Board of Supervisors about the changes and progress made in Zero Waste locally. May we schedule a 10-15 minute presentation to the Council at one of your upcoming regular meetings in November?

So much is changing in the field of Zero Waste, we would like to update your Council. We will have 3-4 powerpoint slides to help us keep it brief.

Please contact me if you have any questions or suggestions for us. My name is Kyra Skylark, I am the Public Education Coordinator and Administrative Manager for Zero Waste Humboldt.

I hope that we may be added to your meeting schedule and look forward to hearing from you.

Sincerely,
Kyra Skylark, Public Education Coordinator
Zero Waste Humboldt



Kyra Skylark, ZWH Public Education Coordinator

Maggie Gainer, ZWH Board Member

**ZERO
WASTE
HUMBOLDT**

Presentation to Trinidad City Council *for Countywide Zero Waste Day November 15* **Wednesday, November 3, 2021**



ZERO WASTE HUMBOLDT Presents:
**Free Virtual Film Screening in
Celebration of Countywide
Zero Waste Day**

**Reuse! Because you Can't Recycle
the Planet.**

7:00 - 8:30 P.M. Monday, Nov 15
To join this free event, email
zerowastehumboldt@gmail.com

The Hierarchy for Planning, Investment, and Environmental Impact

WASTE PREVENTION

(Formerly Source Reduction)

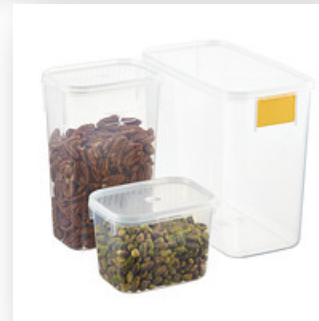
MATERIALS REUSE

RECYCLING /COMPOSTING

SAFE DISPOSAL



Deconstruction & Used Building Materials



**Ferreira & Son Dairy
Return to Returnables**

Examples of Reuse Infrastructure Needed

Refill Not Landfill Network



**Ten Water Bottle Refill Stations Reduced
50,000 Single-use Plastic Water Bottles/Year**

CA Waste Laws Evolution -- *Fast Forward*

1960s – 70s

Highway and Park Litter
Impacts on Tourism & Agriculture



1980s-90s

Landfill Space Shortages
NIMBY
California Real Estate



2000s

Climate Change
Destruction of Global Warming
& Plastic Pollution





New California Laws to Go into Effect January 1, 2022:

AB 881 helps the state accurately measure **how much plastic is actually recycled** and **prohibits plastic waste exports** to other countries being counted as "recycled"

AB 1201 updates **labeling for compostable** products

AB 962 makes it easier for brewers and other beverage producers to **create reusable glass bottle systems to reduce the need for single-use beverage containers**

AB 1276 to reduce plastic foodware waste by giving takeout customers **single-use foodware only when requested**

SB 343 requires products to meet certain standards to be advertised or labeled as recyclable and **prohibits manufacturers from using the chasing-arrows symbol**

"Consumers are being misled by the placement of the recycling symbol on items that aren't actually recyclable under real world conditions," -- SB 343 author Sen. Ben Allen, D-Santa Monica

Thank you for your interest.

Contact us if you'd like to learn more about the work we do and initiate the Zero Waste method in your projects, events, or overall planning and operations.

zerowastehumboldt@gmail.com

www.zerowastehumboldt.org

www.facebook.com/ZeroWasteHumboldt





DISCUSSION AGENDA ITEM 4

SUPPORTING DOCUMENTATION ATTACHED

4. Stormwater Project Update

AGENDA ITEM

Date: November 9, 2021

Item: PROP 84 ASBS STORMWATER PROJECT OUTREACH AND UPDATE

PROJECT PUBLIC OUTREACH

As discussed at the October 12 Council meeting, The Stormwater Project construction was delayed due to long lead times for construction materials. On November 3, the contractor submitted a revised schedule which is attached.

The schedule has a mobilization start date of November 22 and a finish date of April 1st, 2022. The Project Engineer will present an update and answer questions about the following:

Project Components and Current Schedule:

<u>Stormwater Construction Location</u>	<u>Tentative Start Date</u>	<u>Description of Construction</u>
Marine Laboratory	11/29/21	Construct improvements to Marine Lab stormwater system and tie to City's system
Edwards Street	11/29/21	Install treatment and infiltration chambers
Ewing Street	12/13/21	Install treatment and infiltration chambers
Van Wycke Street between Galindo and Edwards	12/20/21	Install stormdrain pipe to route stormwater away from ocean discharge pipe and connecting to pipe leading to (new) beach parking lot facilities
Beach Parking Lot	1/10/22	Install treatment and infiltration chambers
Underwood Street	1/24/22	Construct curb and gutter, install treatment and infiltration chambers
Launcher Beach stormwater outfall demolition	3/28/22	Decommission stormdrain pipe from Van Wycke to beach by filling with concrete. Demolish and remove concrete outfall structure.

The project was awarded to GR Sundberg June 21, and a pre-construction conference was held with the City, GHD, GR Sundberg, and project funders where the construction schedule was discussed as occurring from July 15 to October 15 per the contract documents. The Notice to Proceed was issued on June 30. On September 9, the contractor proposed starting construction in mid-December. Since then, City staff, the City Engineer (GHD) and the contractor have been working to develop a more feasible and detailed schedule. On September 28, the contractor submitted a schedule and schedule memo. On November 3, the contractor submitted a revised schedule.

Project Purpose – To eliminate the two stormwater discharges (City and Marine Lab) into the Trinidad Head Area of Special Biological Significance (ASBS) by constructing treatment and infiltration facilities that will intercept and treat the stormwater without discharging into the bay. Stormwater system improvements will be constructed at the sites shown in the table below.

Traffic Impacts

There will not be any full street closures, but there will be some temporary traffic delays and impacts to parking in active construction areas.

Project benefits:

There are multiple project benefits, including protecting water quality in Trinidad Bay, replacing aging infrastructure, engaging with other stakeholders to address shared issues (HSU, Trinidad Rancheria, Tsurai Ancestral Society, Yurok Tribe), and addressing regulatory requirements.

Public Outreach Attachments:

- ASBS Stormwater Project Presentation
- Stormwater Project Construction Notice



Advance Construction Notice

Project: ASBS Stormwater Improvement Project
Location: Underwood St, Edwards St, Ewing St, Van Wycke St, Beach Parking Area.
Construction Schedule: November 2021 through March 2022

Description of Work: Installation of stormwater improvements consisting of storm drain inlets, piping, treatment units, and underground infiltration chambers. The complete project plans are available for review at City Hall and on the City website. A summary figure is attached on the back of this notice.

Project Objective: To improve water quality by treating stormwater and to comply with the State of California requirements to reduce stormwater pollutants from entering Trinidad Bay, which is designated as an Area of Special Biological Significance (ASBS).

FAQs: Who is funding this project? A State Water Resources Control Board Proposition 84 grant and USDA Stormwater funding.

Were impacts to businesses and residents considered? Yes. The project has been developed to minimize impacts to businesses and residents as much as possible while complying with project grant and permit requirements.

Why is this project being constructed during the summer? Because summer is the least rainy season, and since this project includes a significant amount of excavation work, construction must occur during the drier summer months.

Will any streets be closed during construction? No, not full road closures. When required for construction, detours or one-way traffic control will be provided during construction activities. Access by local residents, visitors, commercial vehicles, and emergency responders will always be provided.

Will street parking be affected? There will be no permanent loss of street parking as a result of this project. There will be some temporary parking restrictions during construction.

Contractor: GR Sundberg

City's Contacts: City Hall 707-677-0223
Dagan Short, Construction Manager (GHD), 707-407-7973

**The City and the contractor will strive to minimize inconveniences during construction.
Thank you for your understanding and cooperation.**

Proposed Location of Construction



<u>Stormwater Construction Location</u>	<u>Tentative Start Date</u>	<u>Description of Construction</u>
Marine Laboratory	11/29/21	Construct improvements to Marine Lab stormwater system and tie to City's system
Edwards Street	11/29/21	Install treatment and infiltration chambers
Ewing Street	12/13/21	Install treatment and infiltration chambers
Van Wyke Street between Galindo and Edwards	12/20/21	Install stormdrain pipe to route stormwater away from ocean discharge pipe and connecting to pipe leading to (new) beach parking lot facilities
Beach Parking Lot	1/10/22	Install treatment and infiltration chambers
Underwood Street	1/24/22	Construct curb and gutter, install treatment and infiltration chambers
Launcher Beach stormwater outfall demolition	3/28/22	Decommission stormdrain pipe from Van Wyke to beach by filling with concrete. Demolish and remove concrete outfall structure.



City of Trinidad

ASBS Stormwater Improvement Project Update – November 2021

Dagan Short, P.E.

Steven Allen, P.E.

Patrick Sullivan, P.E.



Presentation Outline

- ✓ Purpose of the ASBS Stormwater Project
- ✓ Brief Timeline and Key Dates
- ✓ Expected Traffic Control
- ✓ Construction Phasing
- ✓ Project Benefits
- ✓ Questions

Purpose of the ASBS Stormwater Project

The City received a letter from the State Water Surface Resources Control Board regarding protecting the Trinidad Bay Area of Special Biological Significance (ASBS):

- There are 34 Designated ASBS Areas along California's Coast.

The City pursued grant funding and completed an Integrated Coastal Watershed Management Plan (ICWMP) with many project partners and stakeholders to address the requirements in the above letter.

- The Stormwater Action Plan identified projects within the City.
- Overall Concept is to:
 - Utilize proven technologies,
 - Utilize gravity based systems,
 - Minimize maintenance requirements,
 - Utilize dispersed infiltration areas.

Brief Timeline and Key Dates

- ✓ Integrated Coastal Watershed Management Plan (2008)
- ✓ Construction of Phase I (2014)
 - ✓ Trinity Street
 - ✓ Ocean Avenue
- ✓ Construction of Phase I-b (2018)
 - ✓ Hector Avenue
 - ✓ East Street
- ✓ Construction of Final Phase (2021-2022)
 - ✓ Underwood Drive
 - ✓ Edwards Street
 - ✓ Ewing Street
 - ✓ Lower Beach Parking Area
 - ✓ HSU Telonicher Marine Lab



Construction Project Sites



Traffic Control

Objective: Minimize impacts to residents, businesses, tourists, and related commercial activities

Expected Traffic Control:

- One lane traffic control in isolated areas when needed;
- Access for residents, emergency vehicles, commercial vehicles provided;
- Temporary reduced parking in areas of construction;
- Pedestrian routes will be provided, with detours as necessary; and
- Delays will be temporary and limited to areas of active construction.

Construction Phasing

Objective: Minimize impacts to residents, businesses, tourists, and related commercial activities

Expected Construction Activities:

- Not all areas of construction will be constructed at once;
- More than one site may be under construction at once;
- Removal of the ocean outfall will be one of last items;
- Once construction begins, updated construction schedule will be emailed weekly to those who are interested in receiving updates.

Construction Phasing

Project Components and Current Schedule:

<u>Stormwater Construction Location</u>	<u>Tentative Start Date</u>	<u>Description of Construction</u>
Marine Laboratory	11/29/21	Construct improvements to Marine Lab stormwater system and tie to City's system
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Launcher Beach stormwater outfall demolition	3/28/22	Decommission stormdrain pipe from Van Wycke to beach by filling with concrete. Demolish and remove concrete outfall structure.

Project Benefits

Objective: Eliminate stormwater point discharge from City area to Trinidad Bay

Benefits:

- Helps protect Trinidad Bay;
- Replaces aging City stormwater infrastructure;
- Engages the City with other Stakeholders (HSU, Trinidad Rancheria) to address a shared issue;
- Addresses regulatory requirements; and
- Utilizes available grant funding for the project.



Questions?

www.ghd.com



DISCUSSION AGENDA ITEM 5

SUPPORTING DOCUMENTATION ATTACHED

5. Discussion/Decision regarding Resolution 2021-13; Authorizing the Grant Application, Acceptance, and Execution of the Trinidad Multi-Benefit Water Resilience Project.

CONSENT AGENDA ITEM

Date: November 9, 2021

Item: Multi-benefit Drought Relief Program Grant Application

Staff has been directed to pursue funding for projects that address critical water needs and to address drought related water supply limitations. Some of the Luffenholtz Creek watershed recommendations presented at the October 12 Council meeting may be eligible for the Multibenefit Drought Relief Grant Program so should be considered for a possible application. The Department of Water Resources (DWR) announced in late October that it is accepting applications for this program through November 19 for the first round of funding and through December 17 for the second round. This is a short timeline so staff would like Council direction regarding moving forward with a possible grant proposal.

The Urban and Multibenefit Drought Relief Program offers financial assistance to address drought impacts through implementation of projects with multiple benefits. For communities, including Tribes, facing the loss or contamination of their water supplies due to the drought; to address immediate drought impacts on human health and safety; and to protect fish and wildlife resources plus other public benefits, such as ecosystem improvements.

Eligible Project Types

For the purposes of this Grant Solicitation, “project” means all planning, design, engineering, acquisition of real property interests, construction and related activities undertaken to implement a discrete action to be funded. Eligible project types include hauled water, installation of temporary community water tanks, bottled water, water vending machines, emergency water interties, new wells or rehabilitation of existing wells, construction or installation of permanent connection to adjacent water systems, recycled water projects that support immediate relief to potable water supplies, fish and wildlife rescue, protection, and relocation. Drought resiliency planning is not applicable to Multibenefit Drought Funds.

Projects (e.g., water demand management, groundwater recharge, and ecosystem restoration) not explicitly identified by Water Code Section 13198 (c) may still be eligible if projects satisfy the criteria and eligibility outlined in this Guidelines and Proposal Solicitation Package and address an immediate drought response.

Staff suggests development of a grant proposal and application for grant-eligible project components based on the October Pacific Watershed Associates’ recommendations in the Luffenholtz Creek Watershed Water Availability Report. 1) Decrease water loss by fixing leaks; 2) Decrease water use through water conservation education; 3) Increase water availability in the dry season through installation of water storage and infiltration projects in the watershed and water customer tanks in the water service area. Eligibility for the Multi-benefit Drought Relief Program would need to be reviewed for each of these potential project components.

Staff will need technical assistance to complete the application process and recommends authorizing up to \$5,000 for development of the application package. Staff recommends that Council direct staff to develop a grant application for a water supply/water system drought resiliency project based on eligibility.

The grant proposals will be evaluated based on eligibility and technical review on a first come, first served basis and funding will be awarded on a rolling basis as applications are received until the grant funds run out.

Staff Recommendations:

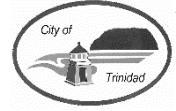
- Authorize staff to prepare an application for the Trinidad Multi-benefit Water Resilience Project.
- Adopt Resolution 2021-xx, Authorizing the Grant Application, Acceptance, and Execution for the Trinidad Multi-benefit Water Resilience Project.
- Authorize up to \$5,000 in Water Funds to be spent for grant application technical assistance.

Attachments:

- Resolution 2021-xx

Trinidad City Hall
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
707-677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



RESOLUTION 2021-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD
AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION
FOR THE TRINIDAD MULTI-BENEFIT WATER RESILIENCE PROJECT

WHEREAS, the City of Trinidad proposes to implement the Trinidad Multi-benefit Water Resilience Project;

WHEREAS, City of Trinidad has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, City of Trinidad intends to apply for grant funding from the California Department of Water Resources for the Trinidad Multi-benefit Water Resilience Project;

THEREFORE, BE IT RESOLVED by the City Council of the City of Trinidad as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 240, § 80), the City of Trinidad City Manager, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources, and take such other actions as necessary or appropriate to obtain grant funding.
2. The City of Trinidad City Manager, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The City of Trinidad City Manager, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

CERTIFICATION: PASSED AND ADOPTED on the 09th day of November, 2021 by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

ATTEST:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor



DISCUSSION AGENDA ITEM 6

SUPPORTING DOCUMENTATION ATTACHED

6. Discussion/Decision regarding Contract with Pacific Watershed Associates for Mill Creek Flow Monitoring.

AGENDA ITEM

Date: November 9, 2021

Item: Discussion/Decision re: Contract with Pacific Watershed Associates for Mill Creek Flow Monitoring

Summary:

The Water Advisory Committee (WAC) and the City Council requested that staff contact Pacific Watershed Associates (PWA) regarding the cost and scope of monitoring weekly flows in Mill Creek for a year's period. Attached is the proposal and scope of services from PWA. The intent is that if the Mill Creek flows were significant they could augment Luffenholtz Creek.

Alternative Motions:

1. Approve the proposed Scope of Services for year-round stream flow monitoring of Mill Creek.
2. Request a modified scope of services for stream flow monitoring of Mill Creek during the dry months. (ORafter the rainy season). (Or ...June through November).
3. Forego monitoring the Mill Creek stream flow.

Attachment:

Proposed scope of services for year-round stream flow monitoring for the City of Trinidad, Mill Creek, Trinidad, California.



PACIFIC WATERSHED ASSOCIATES INC.

PO Box 4433 • Arcata, CA 95518-4433
 Ph 707-839-5130 • Fax 707-839-8168
www.pacificwatershed.com

Re: Proposed scope of services for year-round stream flow monitoring for the City of Trinidad, Mill Creek, Trinidad, California.

Dear Mr. Naffah,

Thank you for providing Pacific Watershed Associates (PWA) with the opportunity to assist the City of Trinidad by streamflow monitoring in Mill Creek. Stream flow and stage monitoring has begun in Mill Creek, immediately downstream of the City's historic instream dam and point of diversion. PWA is seeking to provide service water stream gauging throughout Water Year 2021/2022.

Scope of work and estimated budget

For a firm, fixed price of \$15,468 (see budget below), PWA will:

- 1) Construct gauging station and install a pressure transducer and atmospheric temperature devices during project to provide continuously recorded stream stage measurements that are related to PWA's manual stream discharge measurements.
- 2) Develop a stage discharge relationship based on open channel flow calculations and on-site stream discharge measurements, together with pressure transducer/staff plate readings of stream stage through October 31, 2022 (winter, spring, summer and fall). Streamflow data will be downloaded and delivered to City Manager on a monthly basis (November 1, 2021 to October 31, 2022). Year-round measurements are the focus of this installation.
- 3) Survey 2 hydrologic cross sections of the stream channel geometry. PWA will utilize Auto CAD and HEC-RAS 1-D models to present peak flow and low flow projections.

Cost estimate for Mill Creek streamflow and stream stage monitoring equipment, including installation, maintenance, and reporting	
Task¹	Cost breakdown by task
Task 1. Installation and commissioning	\$3,760
Task 2. Develop a stage discharge relationship	\$5,880
Task 3. Develop streamflow data reports and projections	\$2,040
Field, surveying and stream gauging equipment	\$1,470
Mileage - 16 round trips @ 320 miles @ \$0.75/mile	\$300
Indirect expenses @ 15%	\$2,018
Project total	\$15,468
¹ Installation does not include time or cost associated with permits or related agency negotiations, if required.	

Provided and Excluded Items

The City will provide PWA with access to the site during daylight hours. This scope and budget does not include permit development (if required). This agreement does not cover damage or loss due to theft or vandalism. In the event that the device is stolen or vandalized, PWA will provide replacement stream gauging equipment to the City based on equipment costs, and actual time and materials costs for reinstallation and calibration.

Please contact me if you have any questions about the proposed scope of work, timeframe, and estimated budget. We look forward to working with you on this project.

PACIFIC WATERSHED ASSOCIATES INC.



Todd Kraemer
Associate Hydrologist
Office (707) 296-2726, Cell (707) 496-7091
toddk@pacificwatershed.com



DISCUSSION AGENDA ITEM 7

SUPPORTING DOCUMENTATION ATTACHED

7. Discussion/Decision regarding review of Short-Term Rental Ordinance 2016-03.

DISCUSSION AGENDA ITEM

September 14, 2021

Item: STR Ordinance Revision

Introduction

Earlier this year, the City Council requested that the Planning Commission expedite their review of the STR ordinance. Section 17.56.190.S calls for the ordinance to be reviewed by the Planning Commission within two years of its certification, and periodically thereafter, to ensure it is meeting the needs of the community. The ordinance was certified by the Coastal Commission in June 2017, so the review is overdue. Staff did not prioritize the review, because the ordinance seems to be working well overall. In addition, the City Council created the STR Advisory Committee in April 2019, one of the purposes of which is “to evaluate the Ordinance for its effectiveness relating to permitting and implementation;” and one of the objectives is to “make balanced and informed recommendations to the City Council on ways to improve the Ordinance...” The STR Committee has made annual reports to the City Council in 2019 and 2020, and no substantial changes to the ordinance were recommended. The 2019 and 2020 STR Committee reports are attached.

Background

For those who were not involved in the development of the first ordinances, or if you need a refresher, the following provides a little history on the development of the regulations.

The City first started discussing VDUs (vacation dwelling units, as they were known then) in 2005. At first, it was determined that they were not a problem, but the numbers continued to increase over the next few years. The City then formed a VDU Committee in December 2009, which proceeded to draft some regulations for VDUs that were passed along to the City Council in June 2010 and then to the City Attorney to draft an ordinance. It came to the Planning Commission in early 2011. The Planning Commission worked on the regulations for about a year, and the first ordinance was approved by the Council in January 2012 (Ordinance 2012-01).

Staff then prepared an LCP amendment and submitted it to the Coastal Commission. In all, the City spent more than 1.5 years (May 2012 through the end of 2013) working with Coastal Commission staff to amend the ordinance to their satisfaction. Note that the Coastal Commission is generally supportive of STRs, particularly in a place like Trinidad, which lacks most other types of visitor-serving overnight accommodations. The revised ordinance was brought back to the Council in February 2014 and discussed at several additional meetings before being approved in October 2014 (Ordinance 2014-01). It was then certified by the Coastal Commission in March 2015.

In June 2015, the Council passed a moratorium on new VDUs and formed another VDU Committee to consider instituting a cap on the number of VDUs in the City. That VDU Committee provided their recommendations to the Council in September 2015, and then it went to the Planning Commission starting in November 2015. A revised ordinance was adopted in October 2016 (Ordinance 2016-03) and approved by the Coastal Commission in June 2017, just before the moratorium ran out.

Although the current ordinance was adopted in a year and a half, it was a very intense time, sometimes with weekly meetings. (This was due to a legal time limit on the length of the moratorium.) In that time, the City held more than 30 public hearings on the ordinance. The file contains more than 100 pages of just excerpts from meeting minutes, and there are 100's of pages of correspondence received by the City during the process as well as 100's of pages of staff reports, agenda memos and background material.

Ordinance Review

A lot of work and thought and public participation went into the existing ordinance. And STRs do provide an important visitor service (and Coastal Act priority use) and provide substantial revenue to the City. I want to try to avoid unnecessarily retreading a lot of the same issues that have already been discussed at length. I suggest that any cap reduction or new caps should be justified in some way. Arbitrarily setting lower caps is likely going to result in a request from the Coastal Commission for analysis to justify that those numbers are reasonable. Because the current ordinance and caps seem to be working fairly well for most people, and because the City has several other projects and priorities, I would suggest making only minor modifications that will not take too much staff time to get through the Coastal Commission. The Planning Commission concurred with this advice

The Planning Commission review primarily focused on recommendations of the STR Committee, some of which can be implemented administratively. Enforcement has been a major topic at STR Committee meetings, so that issue was given consideration. And due to the discussion of a possible moratorium, it was assumed that the City Council wanted the Planning Commission to reconsider the existing caps and/or consider caps in other zones or City-wide. Finally, a number of other suggestions and issues that have come up at previous meetings were also discussed. The ordinance will continue to be evaluated, reviewed and revised as needed in the future.

STR Committee Recommendations (2019 & 2020)

Many of the recommendations made by the STR Committee so far can be or have been implemented administratively. Things like adding language to the Good Neighbor Brochure fall into this category. Section 17.56.190.Q allows the City Manager to establish administrative rules to help implement the ordinance. The enforcement process can potentially be refined and improved in this way. Fines amounts could also be set administratively, or by resolution of the Council, but who pays the fine and collects the fine may need more clarity.

Some of the STR Committee recommendations had to do with definitions. I don't believe definitions are necessary for the various zones (e.g. UR and SR), since this ordinance is a part of the zoning ordinance, however, they were spelled out for clarity. There was general agreement to include a definition of what has become known as the "meet and greet" outlined in § 17.56.190.M.1. STR managers have stated that it is a difficult to requirement to meet, but it has been supported almost universally by the public. The definition suggested by the STR Committee seems reasonable. The STR Committee met again on June 22 to specifically review the ordinance. They did not have any additional specific recommendations at this time, but noted they are short one public member.

Caps and STR Numbers

An updated 2021 license map has been provided that also includes the current zoning designations for reference.

At this time, there are 15 STRs in the UR zone with a cap in the ordinance of 19 and a waitlist of 6 people (and 7 properties) who want STR licenses, the first request having been submitted in December 2017. There are five STRs in the SR zone, with a cap in the ordinance of 6 and no waitlist. There are four STRs in the PD zone, with no cap in the ordinance; an application has been submitted for a 5th STR in the PD zone. There are three STRs in the C zone, also with no cap in the ordinance. There is an additional allowance for up to 6 "Resident STRs" in the UR zone with no cap in other zones, but there are currently no Resident STR licenses in the City. No cap on the number of STRs was included for zones other than UR and SR, because the intent was to shift some STRs out of residential zones and into zones such as PD, which allows commercial and a mix of other uses.

The vacancies under the UR cap did not occur until this year, and the City Manager was requested to delay holding a lottery for the licenses pending amendment of the ordinance. The City has never held a lottery under the existing ordinance (§17.56.190.E.6).

Under the first (VDU) ordinance, there were as many as 43 VDU licenses, though only about 32 were active in any one quarter. The first round of permitting under the existing ordinance resulted in 31 licenses. **There are 27 licenses this year, with several on the waitlist pending to fill vacancies left by numerous property sales this past year.** Until this year, the City has maintained between 30 and 32 active licenses, which equates to about 13.6% to 14.5% of the total number of housing units in the City (not counting RVs). Around 15% of the housing stock is a metric that has been used by some other communities for capping STRs, and it was used as a guideline in the development of the caps in the existing ordinance. The best current estimate of housing units in the City is 224 (not including RVs), fifteen percent of which is 33.6.

The existing cap of 19 in the UR zone represents 15.6% of the developed parcels (14.8% of all developable parcels), but some parcels have ADUs, so the percentage of housing units is less. The cap of 6 in the SR zone represents 16.7% of the developed parcels, but only 11.3% of the total number of parcels with SR zoning, some of which may not be developable. There are ADUs in the SR zone as well. When the ordinance was adopted, the cap of six STRs represented almost 20% of the developed parcels in the SR zone. But several properties have been developed since then, so the percentage has gone down. The properties in the SR zone are more spread out, and so STRs tend to have fewer impacts on neighbors, so the higher percentage might be appropriate.

There is not much potential for additional STRs in the C zone, because residences are only allowed with a use permit, and they must be associated with a commercial use. Therefore, there are not many residences in the C zone, nor is there much potential for more. Further, the general plan update has proposed rezoning several C parcels to PD to better match the existing mixed uses, including two properties that currently have STRs (Eatery and Beachcomber buildings). The City has also received an application to rezone a PR parcel to PD (and another application to rezone a different PR parcel to SR).

A cap in the PD zone was discussed by the Planning Commission. However, it was determined that a City-wide cap would be more appropriate than a cap specific to the PD zone. The Planning Commission recommended a City-wide cap of 32 STRs (14.3% of the existing housing units in the City). That number was based on the fact that, prior to COVID, the City has maintained 31-32 licenses under the existing ordinance with few issues. The Planning Commission also recommended reducing the cap in the UR zone by one, to 18 and increasing it in the SR zone from six to seven. Although most complaints about STRs have come from the densely developed UR zone, that is also where the highest demand for them is by far. And there are people that have been waiting several years for the opportunity for a license under the lottery. In addition, the City is drafting an ADU ordinance that should provide additional housing opportunities in the City. Therefore, further cap reductions in the UR zone were not recommended at this time.

If the City Council wants to consider cap reductions, I would suggest also considering adding an option to apply for a use permit for additional STRs above the cap. Then they could be considered on a case-by-case basis. It would also allow more STRs if and when the number of housing units increases. And it might help satisfy the Coastal Commission and limit the amount of justification and analysis required for cap decreases.

Complaints/Enforcement

The complaint process and enforcement have probably been the most discussed issue since the ordinance was adopted. The attached flowchart, which was prepared by Commissioner Johnson as part of the Planning Commission's recommendation to the City Council on the ordinance, provides a summary of the process. The Planning

Commission did recommend to the Council that a formal complaint process be developed and adopted, and the STR Committee made a similar recommendation (August 2019). Section 17.56.190.Q of the ordinance allows the City Manager to establish administrative rules to help implement the ordinance, which could include a more detailed complaint/enforcement process.

The City has not received many written complaints since the current ordinance was enacted, though there have been comments at meetings that the reason is because people don't trust the process and/or don't trust the City to follow through. The City did go through the violation process a few times shortly after the ordinance was adopted, including a determination of significant violations, but not everyone was satisfied with the outcome. The City keeps binders for the STR licenses and complaints. A more formal or automated complaint process is a task the STR Committee could potentially work on.

Complaints by year:

2018 – 4 complaints

2019 – 3 complaints (one was procedural)

2020 – 1 complaint

2021 – 0 complaints so far

One of the reasons that the City may not be getting many complaints is because the property managers are adequately dealing with issues through the 24-hour Local Contact Person and requirement to deal with calls within 30 minutes. However, those exchanges are supposed to be reported to the City (§ 17.56.190.R.6). One member of the public mentioned having a good response from the onsite manager of a large STR whenever there is an issue, though that is not the 24-hour contact person.

One of the primary issues at this point seems to be the imposition and collections of fines and who is responsible for both paying and collecting those fines. This has been a topic of discussion at numerous STR Committee meetings. In response, I added clarification to the violations subsection of the ordinance (R.2) that occupants will be fined if they are unresponsive to a complaint and that the property manager will be responsible for paying the fine to the City. The manager should be immediately aware that the City is going to institute a fine if the occupants don't comply in resolving a complaint and can act accordingly to hold back some deposit or other alternative to collect the fines that works for them. The manager, in turn, could have an agreement that the owner would cover any fines not covered by an occupant's deposit if they desire. I also separated complaints and significant violations for clarity and added clarification to R.6 that not reporting complaints, even if resolved, is a violation and to R.7 that failure to do so twice or more could be considered a significant violation.

Enforcement solution(s) may not fall just within the ordinance provisions. For example, it has been suggested that a more automated system for complaints would be helpful.

Most of the issues that have come up can be dealt with, at least on some level, through administrative actions that do not require an ordinance amendment. Some suggestions/ideas are included below.

- Investigate options for updating the City's website to have a more interactive interface regarding STRs/complaints.
- Investigate the possibility of using 3rd party compliance services/software (e.g. Granicus, Hamari STR).
- Add administrative rules to refine and clarify the complaint/enforcement process.
- Include more information on the complaint process (such as a flowchart) with the STR contact information that is sent to neighbors.

Other Issues and Suggestions

A few suggestions have been brought up by individuals at meetings (e.g. the joint STR/PC/CC meeting last December). I provided the minutes from that joint meeting, since it was well attended with thoughtful comments. The other suggestions for consideration in the ordinance update that I have noted include the following along with staff responses:

- *Prohibit exceptions:* The ordinance does not allow any new exceptions for STRs. The original ordinance allowed parking exceptions for existing STRs, and the current ordinance allows those to continue under certain circumstances; see § 17.56.190.M.6. Records indicate that only one parking exception was originally granted, and that STR still exists. No other exceptions, including anything related to the OWTS, are allowed in the ordinance. The ordinance does allow modification of the location standards (one STR per parcel and no abutting STRs) with approval of a use permit by the Planning Commission. That process requires notification of neighbors and a public hearing.
- *Prohibit STRs in multi-family housing:* Currently, §17.56.190.G limits STRs to one per parcel. A use permit may be obtained for additional STRs on the same parcel, so that would be considered on a case-by-case basis at a public hearing. No STRs in multi-family units have been proposed since adoption of the ordinance, so there doesn't seem to be a need for such a prohibition.
- *Define bed-and-breakfast:* This would be a good definition to include in the zoning ordinance when it is updated, but the STR ordinance does not regulate bed and breakfasts. Permitted bed and breakfasts are excluded from the definition of STRs. And, because it specifies that they must be permitted, I don't think the lack of definition creates any ambiguity.
- *Allow only Resident STRs:* There are currently no licenses or applications for Resident STRs, though there may have been rentals in the past that qualified as such. There is apparently little to no demand for this type of STR, and such a limitation would effectively eliminate STRs in the City. It is doubtful whether the Coastal Commission would certify such a limitation.
- *Expand the restriction on the number of STRs owned by one individual to other zones besides just UR and SR (see §17.56.190.H):* The ordinance previously limited

ownership of STRs in the UR and SR zones to one, with no limit in other zones. The ordinance now limits the total number of licenses that can be held by one owner to two total (and only one in the UR and/or SR zones).

- *Expand the prohibition on adjacent STRs (see § 17.56.190.G).* Previously, the ordinance prohibited new STRs in the UR zone that would abut another STR in the UR zone. That restriction has been expanded to prohibit abutting STRs regardless of zoning. A use permit may be obtained to allow abutting STRs on a case-by-case basis.

Housing Affordability and Population Issues

Although STRs, including Homeshare (hosted types), can impact housing affordability, it is a complex issue with factors that vary substantially from jurisdiction to jurisdiction. People have also expressed concerns about the lack of residents due to STRs, particularly with the new census population data coming out, but that isn't a simple issue either. Trinidad has historically had high housing costs and vacancy rates, long before STRs were a thing. This was a result of the idyllic setting and many seasonal homes. When we were developing the VDU/STR ordinances (and in the 2013 Housing Element update), I looked at trends in things like population, vacancy rates, housing prices, number of families, etc. in Trinidad between 1980 and 2000 prior to the rise in vacation rentals, and between 2000 and 2010 when vacation rentals expanded to their peak.

Housing prices and vacancy rates rose substantially between 1980 and 2000, and continued to rise between 2000 and 2010, but rents decreased during the later decade, possibly due to the housing crash. In addition, between 1980 and 2000, the population decreased, the average age of the population increased, household size decreased, and the number of children and families also decreased. However, those trends were all reversed between 2000 and 2010 while the number of STRs exploded. The table below presents some of the available data.

Year	Population	STRs	TOT
1980	379	NA	NA
1990	362	NA	NA
2000	311	Unknown	\$7,500
FY 01/02	NA	7	\$17,646
FY 04/05	NA	16	\$30,865
2007	NA	23	\$44,344
2010 (FY 09/10)	367	41 (32 active)	\$69,758
2020 (FY 19/20)	307	30	\$100,069

The data in the table above is not even as straightforward as it may look. The number of active STRs (VDUs then) in the decade between 2000 and 2010 varied substantially year-to-year and even quarter-to-quarter. The TOT values includes the Bed and Breakfast and Hidden Creek RV Park (Hidden Creek is now long-term tenants, so no longer pays

TOT). And the 41 VDUs in 2010 is somewhat artificial. Because the City was developing new regulations, many people got licenses in order to be “grandfathered” in, but never used them; only 32 were active (paying TOT) that year. And obviously, the 2020 data could be somewhat skewed by COVID. The data doesn’t really prove anything but indicates that population, housing characteristics, and market factors are much more complex than to be affected by just a single factor such as STRs.

Attachments

- STR Committee Reports
- 2021 STR Map w Zoning (1 page)
- Complaint process flowchart (1 page)
- Minutes from STR/PC/CC meeting (6 pages)

Recommended Action:

Discuss the STR ordinance and Planning Commission recommended amendments. Provide direction to staff for additional amendments and/or to prepare an amended ordinance for first reading at the next meeting.

Section 17.56.190 (6.26) Regulations for Short Term Rentals

Sections:

17.56.190 (6.26).A	Short Title
17.56.190 (6.26).B	Findings
17.56.190 (6.26).C	Purpose
17.56.190 (6.26).D	Definitions
17.56.190 (6.26).E	Application Requirements
17.56.190 (6.26).F	Maximum Number of Short Term Rentals
17.56.190 (6.26).G	Location
17.56.190 (6.26).H	One STR License Per Owner
17.56.190 (6.26).I	Effect on Existing STRs
17.56.190 (6.26).J	License Transferability
17.56.190 (6.26).K	Homeshare STR Licenses
17.56.190 (6.26).L	Resident STR Licenses
17.56.190 (6.26).M	STR Standards
17.56.190 (6.26).N	Tourist Occupancy Tax
17.56.190 (6.26).O	Audit
17.56.190 (6.26).P	Dispute Resolution
17.56.190 (6.26).Q	Administrative Standards and Rules
17.56.190 (6.26).R	Violations
17.56.190 (6.26).S	Ordinance Review
17.56.190 (6.26).T	Severability

17.56.190 (6.26).A Short Title.

This Section shall be known and may be cited as “City of Trinidad Short Term Rental Ordinance.”

17.56.190 (6.26).B Findings

The City Council finds that adoption of a comprehensive code to regulate issuance of and standards for Short Term Rental Licenses is necessary to protect the public health, safety and welfare and to strike a proper balance between City residents’ concerns and the rights of property owners, STR owners and operators as well as visitors to the City. The City Council finds the regulation of short-term rental uses through this Ordinance, including its nontransferability provisions, to be a valid exercise of the city’s police power in furtherance of the legitimate governmental interests documented in this chapter.

17.56.190 (6.26).C Purpose.

The purpose of this Section is to establish a permitting process, together with appropriate standards that regulate short-term rental of dwellings in the City in order to: minimize negative secondary effects of Short Term Rentals (STRs) on surrounding residential neighborhoods; ensure that STRs are compatible with surrounding residential and other uses and will not act to harm or alter the neighborhoods within

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which they are located; minimize impacts to coastal resources; provide for visitor services in accordance with the Coastal Act; and ensure STRs are consistent with all other provisions of the General Plan and Zoning Ordinance. This section addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of licenses issued to ensure long-term availability of the affordable housing stock and to ensure Trinidad has enough residents to maintain a viable community. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

17.56.190 (6.26).D Definitions.

1. City Manager

"City Manager" means the City Manager of the City of Trinidad or their designee.

2. Dwelling

"Dwelling" means a single family dwelling, including associated accessory structures, or a dwelling unit within a duplex or multi-family dwelling, not to include mobile homes in a mobile home park.

3. Event

"Event" means any use of a structure or land for a limited period of time. "Event" includes, but is not limited to, art shows, religious revivals, tent camps, concerts, fundraisers, and weddings or receptions. "Event" does not include small parties and social gatherings, of no more than the maximum allowed occupancy, consistent with normal residential use.

4. Existing STR

"Existing STR" means an STR that had a valid STR license as of the effective date of this ordinance.

5. Full-time STR

"Full-time STR" means any STR that is not a Homeshare STR or Resident STR.

6. Good Neighbor Contract & Good Neighbor Brochure

"Good Neighbor Contract" means a document, specific to each STR, prepared by the City and approved by the City Manager that summarizes general rules of conduct, consideration, respect, and potential remedial actions. In particular, the contract shall include provisions for maximum occupancy and visitors, off-street parking, noise standards, and penalties for violations. The "Good Neighbor Brochure" is a brief summary of the Good Neighbor Contract, in a form approved by the City Manager, which may include additional information and suggestions for Occupants for minimizing disturbance to neighbors and environmentally sensitive habitat areas. The Good Neighbor Brochure shall be posted or placed in a prominent location inside each STR.

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7. Homeshare STR

"Homeshare STR" means a Short Term Rental whereby a homeowner rents out no more than one bedroom in their primary residence and is present on site between the hours of 10PM to 7AM while rented as an STR.

8. Meet and Greet

"Meet and Greet" means an in-person, on-site meeting at the STR between the Property Manager and the Responsible Person on the day of arrival, or no later than 12:00 p.m. on the morning after a late night arrival, at which time the parties will sign, date, and time stamp the Good Neighbor Contract to indicate it has been reviewed and the Responsible Person has not misrepresented their group during the reservation process.

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9. Occupant.

"Occupant" within this Section means a person, not a host, owner, guest or tenant, renting or occupying an STR in accordance with this section and staying overnight therein. As used in this Section, "occupant" does not include up to two children aged 12 or under.

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10. Primary Residence

"Primary Residence" means the dwelling owned and occupied as the owner's principle place of residence, where the homeowner lives more than 50% of the year. A person can only have one primary residence at any time.

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11. Property Manager

"Property Manager" or STR Manager means the designee(s) responsible for managing an STR, including authorizing rental contracts. The Property Manager may be the owner and/or the Local Contact Person.

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12. Resident STR

"Resident STR" means a Short Term Rental that is operated less than 60 nights per year and which is the owner's primary residence, but the owner does not have to be in residence while the dwelling is rented as an STR.

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13. Responsible Person.

Means the occupant of an STR who is at least twenty-five (25) years of age, who signs the Good Neighbor Contract and who shall be legally responsible for compliance of all occupants of the STR and / or visitors with all provisions of this Section.

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14. Short Term Rental (STR)

"Short Term Rental" (STR) means a rental of any dwelling, in whole or in part, within the City of Trinidad, to any person(s) for transient use, other than (1) a permitted bed and breakfast, (2) ongoing month-to-month tenancy granted to the

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same renter for the same dwelling, (3) one less-than-30-day rental per year, or (4) a house exchange for which there is no payment.

15. STR Watch List

"STR Watch List" means a list of one or more Short Term Rentals that the City Manager has identified on the basis of good cause, including one or more significant violations, as STRs that warrant a higher level of oversight, scrutiny, review, or monitoring.

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16. Transient Use.

"Transient use" means any contractual use of a structure or portion thereof for residential, dwelling or sleeping purposes, for any period of time which is less than 30 consecutive days.

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17. Visitor.

"Visitor" means someone staying temporarily at an STR, such as guests of occupants, who is not an 'occupant' and not staying at the STR overnight.

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17.56.190 (6.26).E Application Requirements.

1. Initial Application.

- a. Each STR must procure an STR License. No additional business license is required for an STR. The STR License shall identify the existence of a STR at a particular address and declare the type of STR, number of bedrooms rented in the STR and its intended maximum occupancy.
- b. A site plan and floor plan must be submitted along with the STR License application so the City can verify the number of bedrooms, off-street parking spaces, and other requirements. The site plan and floor plan do not have to be professionally prepared, but must be to scale and include enough information to verify compliance. A sample rental agreement that includes the Good Neighbor Contract and any other forms as required by the City Manager shall also be provided. Applicants for a Homeshare or Resident STR License shall provide documentation that the property is owner's Primary Residence.
- c. At the time of application for a new STR, the dwelling shall be subject to inspection by the Building Inspector. The purpose of the inspection is to determine the conformance of the dwelling with applicable City regulations. Prior to the issuance of the STR license, the owner of the dwelling shall make all necessary alterations to the dwelling as required by the Building Inspector to conform with applicable codes. This does not mean that the dwelling has to be brought into conformance with current building codes unless, in the opinion of the Building Inspector, the work is necessary to protect public health and safety.

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- d. Each application for an STR License shall be accompanied with proof of a general liability insurance in the amount of one million dollars combined single limit. In addition, the applicant shall sign an acknowledgement that they will operate the STR in accordance with all applicable rules and regulations, including this section, and that they can be held responsible for the behavior of their occupants and visitors in accordance with this Section.
- e. The City will notify all property owners within 300 feet of an STR property of the STR License within 10 working days of its issuance or re-issuance. This notice shall be combined with the distribution of contact information required in subsection 2.c below. STR License information, including, but not limited to, license number, address, maximum occupancy and 24-hour Contact Phone Number, will also be posted on the City's website.
- f. Upon initial application for an STR License, the City shall provide all STR licensees with copies of informational materials identifying protective measures for preventing and minimizing impacts to environmentally sensitive habitat areas, water resources, and septic systems from the short term rental use of the residence. Such protective measures include, but are not limited to: (1) avoiding human encroachment into environmentally sensitive habitat areas; (2) directing or screening exterior lighting from illuminating riparian corridor areas; and (3) best management practices for the proper handling and disposal of trash and chlorinated water from hot tubs, swimming pools, and other spa facilities.

2. Contact Information.

a. Local Contact Person (LCP).

Each STR must designate a Local Contact Person on the STR License form. That person may be the owner or the Property Manager. The LCP may designate a temporary LCP for a specific rental night(s); that designation must be reported to the City at least 24 hours before the rental date. The LCP, or their temporary designee, must live within 20 miles of Trinidad and be able to respond personally to an STR concern within 30 minutes.

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b. 24-Hour Contact Phone Number.

A 24-hour Contact Phone Number is required for each STR. The 24-hour Contact Phone Number shall be prominently placed for the occupants' use inside the STR. Any change to the 24-hour Contact Phone Number shall be promptly posted within the STR and provided to the Trinidad City Clerk at least 15 days prior to any change. A temporary LCP designee shall use the same Contact Phone Number as the LCP.

c. Distribution of Contact Information

The name of the LCP and 24-hour Contact Phone Number will be forwarded by the City Clerk to the Trinidad Police Department, the County Sheriff's Office, the

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Trinidad Volunteer Fire Department, and to each neighbor within 300 feet of the STR, and posted on the City's website within 10 business days after the issuance or reissuance of an STR License for the STR.

The contact information sent to neighbors may include further instructions in the case that a response from the LCP is not forthcoming. If there is an emergency or complaint, and the LCP does not respond within a reasonable period of time, concerned persons will be encouraged to report an emergency through the 911 emergency calling system or the Police or Sheriff's Department for other complaints. It is unlawful to make a false report or complaint regarding activities associated with an STR.

3. STR License Renewals.

STR licenses shall be renewed annually. Renewals must be submitted by February 1. New STRs that received a license after October 1 do not need to renew their license until the February after the license has been in place for a year. Any changes to the site plan, floor plan, allowable occupancy, or rental agreement shall be submitted along with the license renewal application. Existing STRs that have not had an initial inspection as required by §17.56.190.E.1.c will be subject to such an inspection.

Although the renewal process includes a staff review of City records and other pertinent information specific to complaints, if any, that have been received about the particular STR, it is the intention of the City of Trinidad that there is a presumption that an application for renewal of a STR License for an existing STR will be approved as long as all applicable standards are still met unless or until such time as the permit is revoked pursuant to §17.56.190.R.4 (6.26.R.4, *Revocation*) or 17.56.190.M14 (6.26.M.14, *Minimum Activity*) or until the STR license expires pursuant to 17.56.190.J (6.26.J, *License Transferability*) or if it is voluntarily withdrawn.

4. Appeals

Appeals of staff determinations or decisions in accordance with this section shall be appealable per section 17.72.100 (7.14) except that STR License decisions are not appealable to the Coastal Commission because they do not constitute a Coastal Development Permit. Notwithstanding section 17.72.100.D (7.14.D), fees for appeals of STR License decisions shall be set by resolution of the City Council.

5. Fees

Fees for initial applications and renewals for each type of STR shall be set by resolution of the City Council.

6. Application Wait List & Lottery

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It is the City's intention to maintain no more than 18 Full-time STR Licenses and 6 Resident STR Licenses in the Urban Residential (UR) Zone, 7 Full-time STR Licenses in the Suburban Residential (SR) Zone and no more than a total of 32 Full-time STR Licenses City-wide. When an STR license becomes available within one of those limits, the City will hold a lottery to allocate that STR License. The City will maintain a waiting list, for each type of STR License by zone as needed, of property owners who are interested in obtaining an STR License for their dwelling. A property owner may place his or her name on the waiting list at any time, but only once per property. The City will randomly draw a name from the waiting list for the appropriate type of license and zone. If the property meets the applicable location standards (§17.56.190.G (6.26.G)), that owner will have 45 days to submit a complete STR License application, along with any other associated license or permit applications (Use Permit, OWTS Operating Permit, etc.) that may be required. If the property owner does not obtain an STR License within 90 days, or if the property does not meet the applicable location standards, the City will draw another name from the waiting list for that zone and STR type.

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17.56.190 (6.26).E. **Maximum Number of Short Term Rentals**

In order to preserve community character and an appropriate balance of residential, commercial and visitor-serving uses, no new Full-time STR licenses shall be issued by the City if the total number of Full-time STR Licenses would exceed 18 in the UR Zone or 7 in the SR Zone, with no limit in other zones, except that no more than a total of 32 Full-time STRs shall be allowed within City limits at any one time. An additional 6 Resident STR Licenses shall be allowed in the UR Zone, with no limit in other zones. Additional Resident STR Licenses may be granted in the UR Zone with approval by the Planning Commission pursuant to the Conditional Use Permit findings and procedures of Chapter 17.72 (Sections 7.06 - 7.18) of the Zoning Ordinance.

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17.56.190 (6.26).G **Location.**

STR's are permitted only in legally established dwelling units within any zoning district. Each separate STR must obtain its own, individual STR License. There shall be no more than one STR per parcel.

No new STR shall be located where it shares a property boundary with a property containing another STR.

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Either of these location standards may be modified through an exception approved by the Planning Commission pursuant to the Conditional Use Permit findings and procedures of Chapter 17.72 (Sections 7.06 7.18) of the Zoning Ordinance. Such an exception shall only be valid as long as the associated STR license is maintained.

17.56.190 (6.26).H **Number of STR Licenses Per Owner**

No new STR license shall be issued for a property in the UR or SR Zones if the owner already holds another STR license in the UR or SR Zones unless there are fewer than the maximum number allowed pursuant to §17.56.190.F (6.26.F) and no other names on the

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wait lists. No more than a total of two Full-time STR licenses may be held by one property owner, regardless of the zone. These limitations shall not apply to renewals of existing STR licenses.

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17.56.190 (6.26).I Effect on Existing Vacation Dwelling Units.

Existing STRs, in excess of the number allowed in §17.56.190.F, or that do not meet the location requirements of §17.56.190.G (6.26.G), shall be allowed to continue to operate under an STR license as long as the permit is renewed in accordance with §17.56.190.E.3 (6.26.E.3) unless or until such time as the permit is revoked pursuant to §17.56.190.R.4 (6.26.R.4, *Violations*) or 17.56.190.M.14 (6.26.M.14, *Minimum Activity*) or until the STR license expires pursuant to 17.56.190.J (6.26.J, *License Transferability*).

17.56.190 (6.26). J. License Transferability

An STR License is issued to a property owner for a single location. The STR License shall be revoked when the permit holder sells or transfers the real property which was rented pursuant to the STR License except as provided below. For purposes of this section, “sale or transfer” means any change of ownership during the lifetime of the license holder or after the death of the permit holder whether there is consideration or not except a change in ownership where title is held in survivorship with a spouse, or transfers on the owner’s death to a trust which benefits only a spouse for the spouse’s lifetime, or lifetime transfers between spouses. If the owner is a trustee, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity, then “sale or transfer” shall mean a change in 50% or more of the shareholders or members or partners or beneficiaries. A license holder may transfer ownership of the real property to a trustee, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity and not be subject to permit revocation pursuant to this section so long as the transferor lives and remains the only owner of the entity. Upon the transferor’s death or the sale or transfer of his or her interest in the entity to another person, the transient rental permit held by the transferor shall be revoked.

17.56.190 (6.26).K Homeshare STR Licenses

Homeshare STR Licenses allow owners, in their Primary Residence, to rent up to one bedroom as an STR, and the owners must be present at night as host during STR use. Homeshare STRs are subject to all the provisions of this ordinance (section) except the following:

- 17.56.190 (6.26).F Maximum Number of Short Term Rentals
- 17.56.190 (6.26).G Location
- 17.56.190 (6.26).H One STR License Per Owner
- 17.56.190 (6.26).M.14 Minimum Activity

17.56.190 (6.26).L Resident STR Licenses

Resident STR Licenses only allow STR use up to 59 nights per year. Resident STRs are subject to all the provisions of this ordinance (section) except the following:

- 17.56.190 (6.26).M.14 Minimum Activity

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17.56.190 (6.26).M STR Standards

All STRs will be required to meet the following standards:

1. Transmittal of Rules and Good Neighbor Contract

Prior to rental of an STR, the Responsible Person shall be provided with a Good Neighbor Contract, consisting of a list of rules and responsibilities, in a form approved by the City Manager. The Responsible Person shall initial each rule indicating that they have read it and sign an acknowledgement that infractions will not be tolerated and if any rules are broken, occupants can be fined by the City, lose their deposit and / or be evicted. In addition, the Property Manager, shall conduct a Meet and Greet in order to ensure that the rules are understood, and that the occupants have represented themselves correctly. A Good Neighbor Brochure, summarizing the Good Neighbor Contract shall be placed or posted in a clearly visible location within the STR.

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2. Noise.

Occupants of STR properties and visitors shall not generate noise such that it would unreasonably interfere with the quiet use and enjoyment of any other residence or business in the area. Any noise occurring after 10:00 pm and before 7:00 am should be contained within the STR and shall not be able to be heard by or offend any adjacent neighbors. What is reasonable in terms of noise generated shall be determined under existing legal standards applicable to evaluating alleged nuisances.

3. Number of Occupants.

The maximum number of occupants allowed in an STR shall not exceed two persons per bedroom plus two people (e.g., a two-bedroom STR may have six occupants), less any residents, tenants, hosts or caretakers living onsite while it is rented. Except that in the UR Zone, on lots less than 10,000 sq. ft. in area, the maximum occupancy is two people per bedroom (e.g. a two bedroom STR in the UR zone may have four occupants). In the SR Zone, if the STR has a total floor area that exceeds 800 square feet per bedroom, then for each additional 500 square feet of floor area above this total, one additional occupant may be allowed, up to a maximum of two additional occupants. Where it can be determined based on the Humboldt County Division of Environmental Health permit or file information or an actual inspection of the system, the number of bedrooms will be based on the design capacity of the septic system.

4. Visitors.

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The number of visitors to an STR shall be limited to not more than the allowable occupancy of the STR at any time. For example, if the maximum occupancy is 6, then no more than 6 visitors are allowed. Visitors are not allowed in the STR between 11 p.m. and 7 a.m. and shall not stay overnight on the premises. Regardless of the allowable occupancy, there shall be no more than 20 combined occupants and visitors on the premises at any time.

5. Guest Registry

The STR ~~Manager~~ shall maintain an occupant and vehicle register for each tenancy of the STR. The register shall include the names, and vehicle license plate numbers for all occupants as well as the dates of the rental period. The guest registry must be available for City inspection upon request.

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6. Off-Street Parking.

An STR must provide at least one off-street parking space for every two occupants allowed in the STR pursuant to Section 17.56.190 (6.26).M.3. The off-street parking space(s) shall be entirely on the STR property. STRs shall not use public right-of-way (street) spaces to meet their required off-street parking needs. Off-street parking spaces will not be located on the septic system unless it is designed and rated for traffic in a manner that will not compromise the functioning of the septic system. STRs that were previously granted a parking exception by the City may continue to operate under that exception as long as they maintain their STR license in good standing. Occupants will be required to utilize onsite parking prior to utilizing offsite and on-street parking as part of the rental contract but are not allowed to park onsite in undesignated parking spaces. Occupants and visitors shall be encouraged to not take up all of the available street parking of adjacent and nearby properties.

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7. Water Use.

To prevent overloading of septic systems, each STR shall be operated in a manner to ensure that the occupancy and use of an STR shall not result in annual domestic water use greater than that associated with the non-STR use of the residence based on an average daily consumption of 150 gallons per bedroom (7,324 cubic feet per year per bedroom) with a 30% allowance for landscaping above the design flow.

Where it can be determined based on the Humboldt County Division of Environmental Health permit of file information or an actual inspection of the system, the number of bedrooms will be based on the design of the septic system. Annual water use records will be kept on file along with the STR License and application materials to allow for verification that the STR water use did not exceed allowable volumes as described above.

If the City determines that the STR use has exceeded the appropriate average annual water usage, as described above, during the preceding year, the STR ~~Manager~~ shall take constructive measures to reduce water use. Adaptive measures include, but are

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not limited to: (a) installing water conservation fixtures and appliances; (b) planting xerophytic landscaping; and/or (c) reducing the maximum occupancy of the STR.

8. Septic System.

Each Property Manager must provide proof that the septic system for the structure in which the STR is located is functioning properly and in conformance with all federal, state, and local regulations. Information on the appropriate use of a septic system, in a form approved by the City, shall be posted in each kitchen and bathroom in the STR.

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9. Appearance and Visibility.

The outside appearance of the STR structure shall not change the residential character of the structure by the use of colors, materials, lighting, or signage (except as allowed by Section 17.56.160 (6.16)). The STR shall not create any noise, glare, flashing lights, vibrations, or odors that are not commonly experienced in residential areas or that would unreasonably interfere with the quiet use and enjoyment of any other residence or business in the area.

10. Signs.

A single sign, legible from the property's street frontage, and no greater than 3 square feet in size may be attached to the STR structure or placed immediately adjacent to the front of the STR structure. The purpose of the sign is to notify the public that the structure is or contains an STR. The sign must provide the 24-hour Contact Phone Number for complaints, and a business telephone number for persons seeking information on the STR. The signage shall comply with all applicable standards of the Zoning Ordinance's sign regulations.

11. Trash.

Trash and refuse shall not be left stored within public view, except in proper containers for the purposes of collection. There shall be no accumulation or storage of trash and / or debris on the site or within the STR.

12. Traffic.

Vehicles used and traffic generated by the STR shall not exceed normal residential levels or unreasonably interfere with the quiet use and enjoyment of any other residences or businesses in the area. What is reasonable in terms of traffic generated shall be determined under existing legal standards applicable to evaluating alleged nuisances.

13. Tenancy.

The rental of an STR shall not be for less than two successive nights.

14. Minimum Activity.

A Full-time STR shall be rented for a minimum of 60 nights per year in order to maintain an STR License. If the STR Manager fails to document rentals of at least 60

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nights per year, the City Manager may determine that license is inactive and ineligible for renewal.

15. Emergency Preparedness.

Information regarding local hazards, such as earthquakes and ocean related hazards, in a form approved by the City, shall be posted within the vacation rental in an easily seen location, such as the entry or kitchen area. In particular, information regarding regular testing of the tsunami siren, the Volunteer Fire Department siren and real emergencies shall be included.

17.56.190 (6.26).N Tourist Occupancy Tax.

The letting, leasing, or other contractual use of an STR is subject to a Tourist Occupancy Tax ("TOT") and any other mandated taxes. Each STR Manager shall meet all of the requirements of the City with respect to registration of TOT collectors, and the collection, recordkeeping, reporting and remittances of applicable TOT.

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17.56.190 (6.26).O Audit & Inspection

Each Property Manager shall provide access to each STR for inspection and any records related to the use and occupancy of the STR to the City at any time during normal business hours, for the purpose of inspection or audit to determine that the objectives and conditions of this Section are being fulfilled.

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17.56.190 (6.26).P Dispute Resolution.

By accepting a STR License, STR owners agree to act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a STR, including engaging in mediation, at owners' expense. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution should be conducted through Humboldt Mediation Services.

17.56.190 (6.26).Q Administrative Standards and Rules

The City Manager shall have the authority to establish administrative rules and regulations consistent with the provisions of this Section for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the requirements and the provisions of this Section. In particular, the City Manager will establish administrative procedures for complaints. A copy of such administrative rules and regulations shall be on file in the Office of the City Clerk and posted on the City's website.

17.56.190 (6.26).L Violations

1. Penalty

It is unlawful to violate the provisions of this Section. Violations of this Section are punishable as either infractions or misdemeanors, pursuant to the provisions of Section 17.76.050 (7.20) of the Zoning Ordinance. Each separate day in which a violation exists may be considered a separate violation. The City of Trinidad can also enforce these STR regulations by way of nuisance abatement action pursuant to

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Chapter 8.12 of the Municipal Code. Enforcement by way of a nuisance action shall be discretionary and shall only occur upon a lawful vote of the Trinidad City Council to prosecute the matter as a civil nuisance action.

2. Fines

- (a) The City Manager shall be authorized to impose administrative penalties for the violation of any provision of this section or ordinance in an amount not to exceed a maximum of \$1000 per day for each continuing violation, except that the total administrative penalty shall not exceed \$100,000 exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations.
- (b) In determining the amount of the administrative penalty, the City Manager may take any or all of the following factors into consideration:
- (i) The duration of the violation;
 - (ii) The frequency, recurrence and number of violations, related or unrelated, by the same violator;
 - (iii) The seriousness of the violation;
 - (iv) The effect the violation may have upon adjoining properties;
 - (v) The good faith efforts of the violator to come into compliance;
 - (vi) The economic impact of the penalty on the violator; and/or
 - (vii) The impact of the violation on the community.
- (c) In most cases, initial fines will start at \$200, with higher amounts reserved for exceptional situations like, repeated violations, failures to promptly correct violations, or deliberate violations of this Section.

(d) Occupants shall be fined if they do not rectify the situation within 30 minutes after being contacted by the LCP. Fines for violations by STR occupants shall be paid to the City by the Property Manager.

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3. Property Watch List

Upon a determination of good cause including but not limited to one or more significant violations, the City Manager may impose additional or special standards or requirements for (1) the determination or placement of properties on the Property Watch List; (2) placement or imposition of special conditions or performance standards for Owners, Owner's Agents, Local Contact Persons, and their affected STRs on the Property Watch List; and (3) and removal of an STR from the Property Watch List.

4. Revocation

If the Property Manager is deemed by the City Manager to be negligent in responding to a complaint more than two times in a 12-month period, or if more than two documented, significant violations, defined below, occur in any 12-month period, the STR License may be revoked. No revocation shall occur unless decided

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by a lawful majority vote of the Trinidad City Council and after written notice, served by first class mail, of at least 21 days was given to the owner of record and the Local Contact Person as set forth in the STR application. Revocation may be temporary or permanent depending on the nature and number of the violations.

5. Appeals

Appeals of City Manager determinations or decisions regarding violations, penalties and fines shall be appealable per section 17.72.100 (7.14) except that such determinations and decisions are not appealable to the Coastal Commission because they do not constitute a Coastal Development Permit. Notwithstanding section 17.72.100.D (7.14.D), fees for appeals of violation and penalty decisions shall be set by resolution of the City Council.

6. Complaints

Complaint as used in this subsection means the need or requirement to contact the Local Contact Person to rectify a situation that is disturbing to a neighbor or resident. Complaints, and their resolution, must be reported to the City Clerk's office by the Local Contact Person within two business days of being received; failure to do so is a violation of this ordinance.

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7. Significant Violations

As used in this subsection, significant violation is a situation where the Local Contact Person is either unable to unwilling to rectify the situation within 30 minutes, and / or when public safety personnel must be called to assist in resolving the situation, or that causes substantial disturbance to the neighbors or neighborhood. Examples of significant violations include, but are not limited to:

- (i) Failure of the LCP to respond to a complaint within 30 minutes.
- (ii) The inability of City staff or the Sheriff's Dispatch to reach a contact person.
- (iii) Failure of the LCP to report two or more complaints to the City.
- (iv) Failure to maintain or provide the required guest registry.
- (v) Violation of the STR maximum occupancy, parking, noise and other requirements as set forth in Section 17.56.190.H (6.26.H).
- (vi) Failure to notify City staff when the contact person or contact information changes.
- (vii) Failure to pay fees or TOT in accordance with this Section.
- (viii) Providing false or misleading information on an STR License application or other documentation as required by this Section.
- (ix) Violations of state or County, or City health regulations
- (x) Repeated minor violations and / or complaints

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Examples of acceptable documentation of significant violations include, but are not limited to:

- (i) Copies of citations, written warnings or other documentation filed by law enforcement.
- (ii) City file information.

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- (iii) Advertisements for the STR
- (iv) Signed affidavits and / or photographic evidence from neighbors or other witnesses
- (v) Other documents which substantiate allegations of significant violations.

The City Manager shall have the authority to determine what constitutes a significant violation, as necessary, to achieve the objectives of this Section. A list of all such additional significant violations shall be maintained and on file in the office of the City Clerk and such offices as the City Manager designates.

7. False Reports and Complaints

It is unlawful to make a false report to law enforcement or City officials regarding activities associated with short term rentals.

17.56.190 (6.26).S Ordinance Review

This ordinance shall be reviewed by the Planning Commission within two years after its certification, and periodically thereafter, to ensure that it is meeting the needs of the community.

17.56.190 (6.26).T Severability

Should any subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

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DISCUSSION AGENDA ITEM 8

SUPPORTING DOCUMENTATION ATTACHED

8. Annual Unmet Transit Needs Hearing.

DISCUSSION AGENDA ITEM

Tuesday, November 12, 2021

Item: **ANNUAL UNMET TRANSIT NEEDS HEARING**

Background: Each year HCAOG conducts citizen participation process to assess unmet transit needs within Humboldt County. The public is invited during this hearing to express their opinion, solutions, complaints, or suggestions regarding Humboldt County's public transportation systems and/or general unmet transit needs.

Recommended Action: Open the public hearing, receive comments, and forward to HCAOG.

Attachments:

- HCAOG summary letter.



HCAOG

*Regional Transportation
Planning Agency*

611 I Street, Suite B
Eureka, CA 95501
707.444.8208
Fax: 707.444.8319
www.hcaog.net

Members:

*City of Arcata
City of Blue Lake
City of Eureka
City of Ferndale
City of Fortuna
City of Rio Dell
City of Trinidad
County of Humboldt*

August 31, 2021

To: City Managers/County Administrative Officer
North Coast Tribal Transportation Commission
McKinleyville Municipal Advisory Committee
Manila Community Services District

From: Stephen Luther, HCAOG Associate Regional Planner

Re: Unmet Transit Needs Process – Public Hearings

Every year, as established by the California Transportation Development Act (TDA), the Humboldt County Association of Governments (HCAOG) is required to conduct a citizen participation process to identify any “unmet transit need” (UTN) in the region. This process is required prior to allocations of TDA funding the following fiscal year. All comments deemed to meet the definition of an unmet transit need will then be analyzed to determine if the need is “reasonable to meet.” A summary of the process and the adopted definition and criteria used to determine if a need is reasonable to meet are provided in the attached document.

The HCAOG Board of Directors will hold a public hearing on Thursday, November 18, 2021. Though not required, we encourage your agency to also conduct a public hearing between the timeline of October 4th through the end of November. We also request that you forward us a record of all comments received.

Please provide your meeting date to Linda Reynolds at linda.reynolds@hcaog.net by **Tuesday, September 13, 2021**, to allow us to meet publishing and posting requirement deadlines. HCAOG will publish an ad in either the Times Standard or the North Coast Journal which will include a schedule of all hearing dates and times. Either I or a member of HCAOG’s Social Services Transportation Advisory Council will join your meeting to provide information or answer any questions. Thank you for your assistance.

Enclosure

cc: City Clerks



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
611 I Street, Suite B
Eureka, CA 95501
(707) 444-8208
www.hcaog.net

Citizen Participation Process for Assessing Unmet Transit Needs

Transportation Development Act

The Humboldt County Association of Governments (HCAOG) is responsible for allocating Transportation Development Act funds for public transportation services within the region. Each year the Unmet Transit Needs process is carried out to identify and evaluate any potential needs that are not being met through existing public transportation services. HCAOG is required to assess unmet transit needs prior to allocating any TDA funds for purposes *not* directly related to public transit.

Public Process to Make a Finding

HCAOG's Social Services Transportation Advisory Council (SSTAC) leads the public participation process. Although only one public hearing is required, public meetings are held to gather public suggestions. The SSTAC considers all public testimony and input, determines if the suggestions meet the adopted definition of an unmet transit need and applies adopted criteria to determine if the need is "reasonable to meet".

At the end of the process, the SSTAC will forward one of the following findings to the HCAOG board for consideration:

- (a) there are no unmet transit needs; or
- (b) there are no unmet transit needs which are "reasonable to meet"; or
- (c) there are unmet transit needs, including those that are "reasonable to meet"

Transportation Development Act funds must be allocated first to unmet transit needs, which are found to be reasonable to meet within a jurisdiction, before any remaining funds can be allocated for non-transit purposes, such as bicycle and pedestrian facilities or streets and roads.

Opportunities for Public Comment on Unmet Transit Needs

- The form linked at the project page: <http://hcaog.net/documents/unmet-transit-needs>
- Utilization of SSTAC members for information sharing among the community;
- At one of the advertised public meetings;
- Use the Remix platform to post comments: <https://bit.ly/transitneeds>
- Written comments and/or feedback gathered from staff during direct outreach;
- Comment submittals by email or telephone: stephen.luther@hcaog.net/444-8208

UNMET TRANSIT NEEDS DEFINITION & REASONABLE TO MEET CRITERIA

Unmet transit needs are, at a minimum:

- (1) Trips requested from residents who do not have access to public transportation, specialized transportation, or private transport services or resources for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment; or
- (2) Proposed public transportation, specialized transportation, or private transport services identified in the following, but not limited to: a Transportation Development Plan, Regional Transportation Plan, Coordinated Public Transit–Human Services Transportation Plan.

HCAOG Plans can be found at: <http://hcaog.net/library>

Additionally, unmet transit needs do not include:

- ❖ Improvements funded or scheduled for implementation in the next fiscal year. Two potential new services that will be reevaluated this year are:
 - Express bus service between McKinleyville and Eureka during peak hours
 - Late Night Weekday Service on the Regional Transit System
- ❖ Minor operational improvements or changes such as bus stops, schedules, and minor route changes. Minor operational improvements are changes to service which do not affect the operating cost of the transit service either by requiring additional staff and/or additional vehicle hours of service or miles of service.
- ❖ Trips for primary or secondary school transportation
- ❖ Sidewalk improvements or street and road needs

Reasonable to meet criteria:

- (1) To be considered "reasonable to meet", a service must be operationally feasible and financially sustainable, as defined below:
 - a) The service must have adequate roadways, and must be safe to operate.
 - b) Enough money should be available from identified sources of funding to pay for the marginal operating costs of the service continuously for three years.
- (2) The service must be projected to meet a minimum "marginal farebox-return-ratio" of 10 percent within 2 years. If multiple competing services are requested, other factors may also be considered such as estimated subsidy per passenger trip and passengers per vehicle hour of service. For new service, ridership and farebox-return-ratio thresholds will be considered.
- (3) Pursuant to the requirements of TDA Statutes (Public Utilities Code Section 99401.5c, a determination of needs that are "reasonable to meet" shall not be made by comparing unmet transit needs with the need for streets and roads, for the allocation of TDA funds.
- (4) Once a service is determined to be "reasonable to meet" and is implemented, it can be expected that the ridership in the first 1-2 years of the new service will be less than the projected optimal ridership. Ridership should be evaluated at 6-month intervals to determine if service is meeting performance standards adopted by the transit provider, and specifically, whether the service meets a minimum 10 percent marginal farebox-return-ratio. If the service is being adequately promoted and fails to be within 60 percent of the identified standards after six months, 90 percent with the first year, or 100 percent within two years, the service may be cancelled and deemed "no longer reasonable to meet." An exception to this rule is when a community or group is willing to participate in sharing the ongoing cost of the new service.



DISCUSSION AGENDA ITEM 9

SUPPORTING DOCUMENTATION ATTACHED

9. Discussion/Decision regarding Resolution 2021-14; Increasing the Transient Occupancy Tax Rate from 10% to 12%.

DISCUSSION/ACTION AGENDA

Date: Tuesday, November 09, 2021

Item: Discussion/Decision regarding Resolution 2021-14; Increasing the Transient Occupancy Tax Rate from 10% to 12%.

Background: For several years the City has been evaluating the need to make adjustments to its revenue sources during the annual budgeting process. TOT has been on the radar as it has been over 10 years since the rate was last increased from 8% to 10% where it currently stands.

***Side-note:** In 2014 the City adopted a measure implemented by the Humboldt County Tourism Improvement District to add 2% to the City's 10%, and pass that amount through to the Humboldt Lodging Alliance. In late 2019 the Lodging Alliance determined the additional 2% should only apply to establishments that have more than 5 units onsite and implemented the change effective January 01, 2020. From that point forward, no lodging establishment in Trinidad qualified to be subject to that tax, and the City was not burdened by the recordkeeping and pass through of that 2% add-on.*

The proposal brought forward with the attached Resolution is to increase the City's occupancy tax rate from 10% to 12%. Municipal Code Section 3.20, Tourist Occupancy Tax authorizes the City to amend the occupancy tax rate by Resolution from time to time.

Proposed Action:

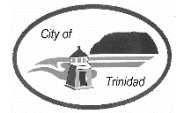
Adopt Resolution 2021-14; To increase the Tourist Occupancy Tax (TOT) Rate to 12% Effective January 01, 2022.

Attachments:

- Resolution 2021-14

Trinidad City Hall
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
707-677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



RESOLUTION 2021-14

A RESOLUTION OF THE TRINIDAD CITY COUNCIL TO INCREASE THE TOURIST OCCUPANCY TAX RATE TO 12% EFFECTIVE JANUARY 01, 2022.

WHEREAS, Ordinance 1992-01, adopted on November 11, 1992, amended Section 3.20.030 of the Trinidad Municipal Code allowing the Tourist Occupancy Tax (TOT) rate to be set by resolution of the City Council;

WHEREAS, Occupancy Tax is designed to compensate local government for the increased public service costs incurred by serving local tourists, and;

WHEREAS, Occupancy Tax is the City's the second largest revenue source and is a vital component of the City's General Fund, which pays for a wide variety of services from Law Enforcement, facility maintenance, staffing, infrastructure, and Public Works activities, and;

WHEREAS, Travel and Tourism has increased in recent years, and economic pressures due to the Covid-19 pandemic have increased costs of goods and services across the board, thereby requiring the City to evaluate and adapt with the changes as needed, and;

WHEREAS, the current tax rate of 10% was implemented in July 2011;

NOW, THEREFORE IT BE RESOLVED that the Trinidad City Council hereby authorizes the increase of the Tourist Occupancy Tax (TOT) for all short-term occupant stays as defined in Chapter 3.20 of the Municipal Code to twelve percent (**12%**), effective January 01, 2021.

PASSED AND ADOPTED on the 09th day of November, 2021 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor



DISCUSSION AGENDA ITEM 10

SUPPORTING DOCUMENTATION ATTACHED

10. Discussion/Update regarding City Council Vacancy.

DISCUSSION AGENDA ITEM

Tuesday, November 09, 2021

Item: Council Vacancy Update.

The City received a letter of resignation from Councilmember Richard Clompus, effective October 13.

Clompus was appointed to fill the vacancy left by the resignation of Dwight Miller in July 2020. Miller was elected to the position in 2018 and served 1-year and 6 months of his 4-year term upon resignation.

Clompus served 1-year and 4 months (July 14, 2020 through October 12, 2021) upon resignation. His term expires December 2022.

The current Councilmember terms are:

Ladwig	Term Expires December 2024
West	Term Expires December 2024
Clompus	Term Expires December 2022
Davies	Term Expires December 2022
Grover	Term Expires December 2022

Basic eligibility requirements for serving on the City Council are:

- Must reside inside the city limits
- Must be a registered voter, inside the City limits.
- In the case of an appointment, the new member must be affirmed by a majority vote of the remaining Council members during an open session.

The City Council is responsible for appointing a new member to fulfill the remaining term, and may set whatever qualifications, criteria, and experience they feel is necessary for the applicants to have.

Vacancy notices have been published at various locations within the community. The local news media outlets have also publicized the position, along with City announcements. The notifications will remain posted until letters of interest are received, prior to each Council meeting packet deadline.

As of today, November 05, 2021, no letters of interest have been received, and the Council will operate with 4 members until further notice.

Action Requested: Update only. No action requested.

Attachments: Vacancy Notice

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



Thursday, October 21, 2021

PUBLIC ANNOUNCEMENT OF VACANCY ON THE **TRINIDAD CITY COUNCIL**

THE CITY OF TRINIDAD IS CURRENTLY SEEKING AN INDIVIDUAL TO FILL
(1) VACANCY ON THE TRINIDAD CITY COUNCIL.

TERM: **THROUGH DECEMBER 2022**

REGISTERED VOTERS RESIDING WITHIN THE CITY OF TRINIDAD MAY
SEND A LETTER OF INTEREST, INCLUDING QUALIFICATIONS, TO THE CITY
CLERK AT:

CITY OF TRINIDAD
P.O. BOX 390
TRINIDAD, CA 95570

Email to: **cityclerk@trinidad.ca.gov**

OR YOU MAY DELIVER THE LETTER IN PERSON TO:

TRINIDAD CITY HALL
409 TRINITY STREET
TRINIDAD, CA

THE DEADLINE FOR FILING IS
Wednesday, November 17, 2021 AT 2:00 PM.

POSITION WILL REMAIN OPEN BEYOND THE DEADLINE UNTIL FILLED IF NO QUALIFIED
APPLICANTS ARE SELECTED.

FOR ADDITIONAL INFORMATION OR QUESTIONS, PLEASE CALL 677-0223.

Gabriel Adams
Trinidad City Clerk